



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12/06/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.6151 of 2020

1. Mariappan

2. Subbiah

... Petitioners/Accused No.1 and 2

Vs

The State Rep. By
The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
Crime No.279/2020).

... Respondent/Complainant

For Petitioner : M/s .R.Balamurugan,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.249/2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners are arrayed as accused Nos.1 and 2. They were arrested and remanded to Judicial Custody on 28.05.2020 for the offences punishable under sections 147, 148, 294(b), 307, 323 and 506(ii) of I.P.C., in Crime No.279 of 2020 on the file of the respondent police. They seek bail.



3. The petitioners are said to have inflicted cut injuries on the victim. The victim was in hospital for about 11 days.

4. The petitioners give the following undertakings:-

a) The petitioners will take a Demand Draft for a sum of Rs.10,000/- and arrange to hand over the same to the victim directly through the respondent. This will be without prejudice to their defence in the trial. This is of course a nonrefundable payment.

b) The petitioners will stay at Tirunelveli for a period of eight weeks and report before the Tirunelveli Town police daily at 10.00 a.m.

c) They will not enter into Thoothukudi District limits during the period of eight weeks. They will not apply for modification or relaxation of this condition.

5. Recording the said undertakings given by the petitioners, I am inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

(i) the petitioners shall be released on own bond by the Magistrate without insisting on sureties. However, the petitioners are directed to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Srivaikundam, Thoothukudi District, after the concerned Court is reopened.

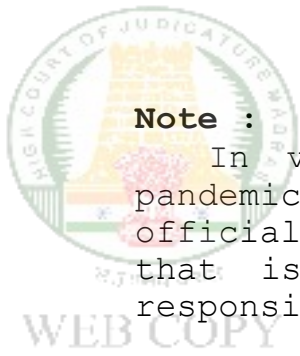
(ii) the petitioners are directed to report before the Tirunelveli Town police daily at 10.00 a.m. for a period of eight weeks and thereafter, the petitioners are directed to appear before the respondent police as and when required for interrogation.

(iii) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

sd/-
12/06/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE
SRIVAİKUNDAM,
THOOTHUKUDI DISTRICT.
- 2 -DO- THRO
THE CHEIF JUDICIAL MAGISTRATE,
THOOTHUKKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SRIVAİKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE INSPECTOR OF POLICE
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI DISTRICT.
- 5 THE OFFICER INCHARGE,
SUB JAIL, PERURANI,
THOOTHUKUDI DISTRICT.
- 6 THE ADDITONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6151 of 2020
Date :12/06/2020

PD/JC/SAR 3/15.06.2020/3P/7C