



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/06/2020

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PRESENT

The Hon`ble Mr.Justice RMT. TEEKAA RAMAN

CRL OP(MD) . No.6375 of 2020

AYYAPPAN

... PETITIONER/ACCUSED NO.2

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
THIRUGOKARNAM POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO. 302 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.E.Balasubramanian,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 302 of 2020 on the file of the respondent police

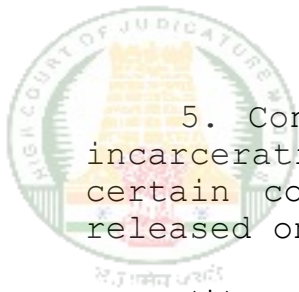
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2. The petitioner is in custody since 26.04.2020 for the offences under Sections 328 and 109 of I.P.C. in Crime No.302 of 2020 on the file of the respondent police. Hence, he seeks bail.

3. The learned counsel appearing for the petitioner submitted that the petitioner is in custody for more than 60 days and charge sheet has not been filed. Hence, he seeks statutory bail.

4. The learned Additional Public Prosecutor states that till date charge sheet has not been filed and the co-accused has been



5. Considering the nature of the allegation and the period of incarceration, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Pudukkottai, on his executing 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 Magistrate concerned;

(ii) The petitioner is directed to pay a sum of Rs.10,000/- (Rupees Ten Thousand Only) by way of Demand Draft, in favour of 'The Dean, Government Pudukkottai Medical College and Hospital, Pudukkottai', on or before 11.07.2020, for the purpose of providing facilities to the Health workers, as non-refundable compensation, without prejudice his rights, since the Health workers put their lives at risk every day and play a critical role in preventing the spread of COVID-19 Pandemic;

(iii) The sureties shall affix his photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

(iv) the petitioner shall report before the respondent police daily for a period of two weeks and thereafter as and when required for interrogation.

(v) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(vi) the petitioner shall not abscond either during investigation or trial.

(vii) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned 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].

(viii) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
26/06/2020

/ 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 NO.II,
PUDUKKOTTAI
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
THIRUGOKARNAM POLICE STATION,
PUDUKKOTTAI DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE DEAN,
GOVERNMENT PUDUKKOTTAI MEDICAL COLLEGE AND HOSPITAL,
PUDUKKOTTAI.

ORDER
IN
CRL OP(MD) No.6375 of 2020
Date :26/06/2020

IAS
JM/PN/SAR 2/26.06.2020/3P/7C