



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

Date : 23/06/2020

PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CRL OP(MD) . No.6495 of 2020

PANDI

... PETITIONER/SOLE ACCUSED

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(IN CRIME NO.11 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.S.Mayamperumal,
Advocate.

For Respondent : V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 11 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 sole accused. He was arrested and remanded to Judicial Custody on 06.01.2020 for the offences punishable under sections 294(b), 302 and 307 of I.P.C., in Crime No.11 of 2020 on the file of the respondent police. He seeks bail.

3.The petitioner was remanded to judicial custody on 06.01.2020 and he is in prison for more than six months. Charge sheet has already been filed in P.R.C.No.2 of 2020 and the matter was posted for committal on 10.06.2020. However, due to COVID-19 situation, no services were provided to the petitioner.



4.Considering the period of custody and considering the fact that charge sheet has been filed and the matter is pending for committal, I am inclined to enlarge the petitioner on bail with certain conditions.

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(a) Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.Ii, Sivakasi;

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

(c)The petitioner shall report before the respondent Police daily at 10.00 a.m., until further orders, for interrogation;

(d)The petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)The petitioner shall not abscond either during investigation or trial;

(f)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]**; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

23/06/2020

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/ /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,
SIVAKASI

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT JAIL, VIRUDHUNAGAR.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.6495 of 2020

Date :23/06/2020

GNS

JM/PN/SAR 3/23.06.2020/3P/6C