



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

Date : 09/07/2020

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PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.6726 of 2020

1. Sankaravel Alias Shankar,
2. Mathiyas, ... Petitioners/Accused 12 and 15

Vs

State represented by
The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.
(Crime No. 273 of 2020). ... Respondent/Complainant

For Petitioners : M/s. S.K.Mani,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

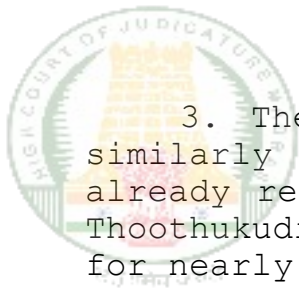
PRAYER :-

For Bail in Crime No. 273 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners herein were arrested and remanded to judicial custody for the alleged offence under Sections 147,148,341,294(b), 302 and 506(ii) of IPC @ 147,148,341,294(b),302, 506(ii) of IPC r/w.120(b) of IPC.

2. The case of prosecution is that due to previous enmity A1 to A9 attacked the deceased and caused death. Sofar as other accused persons are concerned they were implicated in the crime on the ground that they were present in the occurrence place.



3. The learned counsel for the petitioners would submit that similarly placed co-accused in this case namely A6 and A17 were already released on bail by the learned Principal Sessions Judge, Thoothukudi. He would also submit that the petitioners are in jail for nearly 50 days and hence they may be granted bail.

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4. The learned Additional Public Prosecutor would submit that similarly placed co-accused in this case namely A6 and A17 were already released on bail by the learned Principal Sessions Judge, Thoothukudi.

5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also the fact that similarly placed co-accused in this case namely A6 and A17 were already released on bail by the learned Principal Sessions Judge, Thoothukudi, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) **each** with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sathankulam;

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

ii) the petitioners shall report before the respondent police daily at 10.30 a.m until further orders;

iii) the petitioners shall not tamper with evidence or witness;

iv) the petitioners shall not abscond during trial;

v) On breach of any of the aforesaid conditions, the learned 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 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]**;

vi) If the petitioners/accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

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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.

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TO

1. THE JUDICIAL MAGISTRATE,
SATHANKULAM, THOOTHUKUDI DISTRICT
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
SATHANKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6726 of 2020
Date : 09/07/2020

AAV
AE/PN/SAR-III (09.07.2020) 3P 6C