



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

Date : 07/10/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.10719 of 2020

Backiaraj ... Petitioner/Accused No.1

Vs

State through
The Inspector of Police,
Keeranur Police Station,
Pudukkottai District.
(Crime No.21/2020).

... Respondent/Complainant

For Petitioner : Mr.K.Kumaravel, 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. 21/2020 on the file of the Respondent Police.

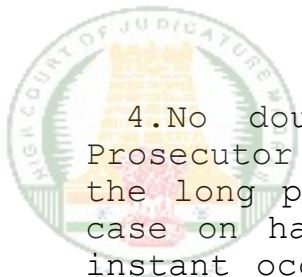
ORDER : The Court made the following order :-

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

2. The petitioner is in custody since 28.01.2020 for the offences punishable under sections 147, 148 and 302 I.P.C., in Crime No.21 of 2020 on the file of the respondent police. He seeks bail.

3.The learned Additional Public Prosecutor points out that the petitioner is the brain behind for the entire occurrence. Following the sensational murder, Act 14 of 1982, was invoked against the petitioner and other co-accused. The learned Additional Public Prosecutor points out that if the petitioner comes out on bail, even

<https://hcservices.judges.gov.in/hcservices>



4.No doubt, the objections of the learned Additional Public Prosecutor are sound and weighty. But then, I have to bear in mind the long period of incarceration of the petitioner. Apart from the case on hand, there is no other case against the petitioner. The instant occurrence is in response to the earlier occurrence. The petitioner's father-in-law and brother-in-law have been done to death. Investigation is over and the final report has been taken on file and the same is pending at the committal stage.

5.The petitioner undertakes that he will attend the committal Court without default till the committal proceedings are over.

6. Recording the said undertaking that the petitioner that he will be prompt in the matter of Court attendance for committal proceedings, bail is granted. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner shall 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, Keranur, Pudukkottai District.

(ii) the petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

sd/-
07/10/2020

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
KEERANUR, PUDUKKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

3 THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT.



4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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

WEB COPY

ORDER

IN

CRL OP(MD) No.10719 of 2020

Date :07/10/2020

das

JM/PN/SAR II/07.10.2020/3P/6C