



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

Date : 09/12/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CRL OP(MD). No.14363 of 2020

Muthukannan @ Kannan

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Chinnamanur Police Station,
Theni District.
Crime No.483/2019

... Respondent/Complainant

For Petitioner : Mr.D.S.Haroon Rasheed,
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.483/2019 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 the sole accused. He was arrested and remanded to Judicial Custody on 14.09.2019 for the offences punishable under sections 294(b), 302, 324 and 449 of I.P.C., in Crime No.483 of 2019 on the file of the respondent police. He seeks bail.

3.The learned counsel for the petitioner states that the petitioner is in custody with effect from 14.09.2019 for the past more than one year. Charge sheet had already been filed and the petitioner is ready to abide by any condition imposed by this Court.

4.The learned Government Advocate(Crl.side) appearing for the State made a submission that the petitioner is having one previous case, which was registered under Section 506(ii) of I.P.C and the said case is pending.



5.However, the fact remains that the petitioner is in jail for more than one year and therefore, the petitioner is enlarged on bail with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail and on 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 Judicial Magistrate, Uthamapalayam,

[a] the petitioner and 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.

[b] the petitioner shall report before the respondent police thrice a day ie., morning at 10.00 a.m., 02.00 p.m., and evening at 06.00 p.m for a period of four weeks and thereafter, morning at 10.00 a.m alone for a period of another four weeks and therefrom as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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 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].

[f] If the petitioner/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/12/2020

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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



TO

1. THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3. THE OFFICER INCHARGE,
SUB JAIL, THENI.

4. THE INSPECTOR OF POLICE,
CHINNAMANUR POLICE STATION,
THENI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.14363 of 2020

Date : 09/12/2020

NS

TK/PN/SAR.2/09.12.2020/3P/6C