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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/01/2020

PRESENT

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

CRL OP(MD). No.19608 of 2019

S.BALA

... PETITIONER/ACCUSED NO.2

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
SELLUR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.798/2019).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s. B. Sudhasathyananth,
Advocate.

For Respondent : M/s. Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

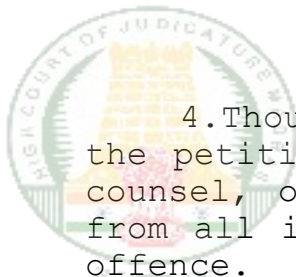
For Bail in Crime No. 798/2019 on the file of the Respondent Police.

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 in custody since 07.12.2019 for the offences punishable under sections 392 and 397 and 506(ii) of I.P.C., in Crime No.798 of 2019 on the file of the respondent police. He seeks bail.

3. The learned Government Advocate (Crl.side) strongly opposed the grant of bail by pointing out the bad antecedents of the petitioner.



4.Though I am of the view that the continued incarceration of the petitioner is not going to serve any purpose, the petitioner's counsel, on instructions, states that the petitioner will keep off from all illegal activities in future and not involve in any other offence.

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5.If the petitioner gets involved an offence of similar nature, the prosecution is directed to file a petition for cancellation of bail.

6.Recording the petitioner's undertaking, 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) 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 No.II, Madurai.

(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/-
31/01/2020

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

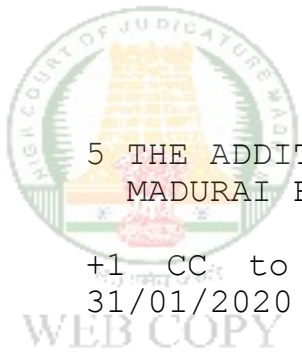
TO

1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE,
SELLUR POLICE STATION,
MADURAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.



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

+1 CC to M/s.B.SUTHA SATHIYANATH, Advocate (SR-1983[I] dated
31/01/2020)

ORDER

IN

CRL OP(MD) No.19608 of 2019

Date :31/01/2020

RMI

JM/VR/SAR 4/31.01.2020/3P/7C