



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

Date : 02/01/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.19653 of 2019

MOOKIAH ... PETITIONER/SOLE ACCUSED

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
KODAKOVIL, MADURAI DISTRICT.
(CRIME NO.154/2019). ... RESPONDENT/COMPLAINANT

For Petitioner : M/s. R. Alagumani,
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.154/2019 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 arrayed as sole accused. He was arrested and remanded to Judicial Custody on 03.12.2019 for the offences punishable under sections 153 (B) and 505(1)(b) of I.P.C., in Crime No.154 of 2019 on the file of the respondent police. He seeks bail.

3.The petitioner belongs to a group called Tamilpuligal and their leader was arrested. The petitioner is said to have forwarded a Whatsapp message, which clearly instigates commission of violence against persons engaged in services/ transport buses.



4.This Court expresses its gross displeasure for the conduct of the petitioner.

5.The learned counsel for the petitioner, on instructions, states that if the petitioner comes out on bail, he will file an affidavit before the Court below, in which, he will give a declaration that he will not indulge in such act in future, he will conduct himself as a responsible public worker and that he will not give room for similar complaints in future. If this undertaking is breached, this Court will not hesitate to cancel the bail order granted to the petitioner herein.

6.Recording the said undertaking given by the learned counsel for the petitioner, 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 Judicial Magistrate, Thirumangalam, Madurai 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/-
02/01/2020

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI DISTRICT.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
KODAKOVIL, MADURAI DISTRICT.



4 THE OFFICER INCHARGE,
THIRUMANGALAM SUB JAIL,
MADURAI DISTRICT.

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

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-58[I] dated 02/01/2020)

ORDER
IN
CRL OP(MD) No.19653 of 2019
Date :02/01/2020

SJI
JM/VR/SAR 1/02.01.2020/2P/7C