



CRL MP (MD) . Nos.124 and 125 of 2021

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

Thursday, the Seventh day of January Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL MP (MD) Nos.124 and 125 of 2021

in

CrI OP (MD) Nos.44 and 46 of 2021

X.THOMAS FRANCIS

... PETITIONER/PETITIONER
IN BOTH THE PETITIONS

Vs

STATE: THROUGH ITS
THE INSPECTOR OF POLICE,
CBI P.S., NEW DELHI,

... RESPONDENT/RESPONDENT
IN BOTH THE PETITIONS
IN CRL MP (MD) No.124 of 2021
IN CRL OP (MD) No.44 of 2021

RC.0502020S0009/2020.

RC.0502020S0008/2020.

IN CRL MP (MD) No.125 of 2021
IN CRL OP (MD) No.46 of 2021

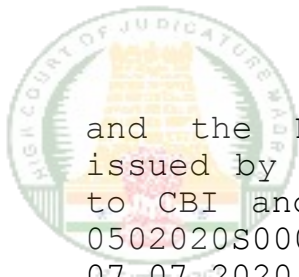
Prayer in CRL MP (MD) . Nos.124 and 125 of 2021 in CrI OP (MD) . Nos.44 and 46 of 2021:

Petitions filed praying that in the circumstances stated therein and in the petitions filed therewith the High Court may be pleased to direct the respondents to grant interim bail for five days from 09.01.2021 to 13.01.2021 to petitioner to attend his brother's marriage to be held on 11.01.2021 in FIR Nos.RC.0502020S0009/2020 and RC.0502020S0008/2020 respectively on the file of the respondents police.

Order : These petitions coming up for orders on this day, upon perusing the petitions filed in support thereof and upon hearing the arguments of M/S.T.A.EBENEZER, Advocate for the petitioner in both the petitions and of M/s.L.VICTORIA GOWRI, Assistant Solicitor General of India on behalf of the Respondent in both the petitions and Mr.T.LAJAPATHI ROY, Advocate for the Intervenor in both the petitions, the Court made the following order:-

The petitioner filed these Criminal Miscellaneous Petitions for interim bail. He was arrested on 08.07.2020 in Crime Nos.649 and 650 of 2020 on the file of the Kovilpatti East Police Station. Subsequently, by notification in G.O(D) No.150, Home (Police-VIII) Department, dated 29.06.2020 issued by the Government of Tamil Nadu

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



and the Notification in No.228/16/2020-AVD-II dated 06.07.2020 issued by the Government of India, both the cases were transferred to CBI and were registered as Crime Nos.RC 0502020S0008 and RC 0502020S0009 on the file of SPE, CBI-SC-II, New Delhi, dated 07.07.2020.

WEB COPY

2.It is submitted by the petitioner that the CBI has completed the investigation and filed a final report in S.C.No.470 of 2020 before the Special Court on 25.09.2020.

3.The petitioner is seeking interim bail on the ground that the marriage of the petitioner's brother viz., Victor has been arranged and to be solemnized on 11.01.2021. The petitioner seeks for five days interim bail in these petitions.

4.The petitioner had earlier moved this Court for regular bail, which was dismissed on 01.10.2020 by this Court in Crl.O.P (MD) Nos.9934 to 9938 of 2020. However, earlier this Court has granted interim bail for the purpose of attending to the last rites of deceased father of the petitioner.

5.The reasons given by the petitioner for the grant of interim bail is satisfactory. It is also the submission of the learned Assistant Solicitor General of India, who has taken notice on behalf of the respondent, on instructions, that the respondent has verified the genuineness of the marriage of the petitioner's brother to be held on 11.01.2021.

6.After giving due consideration to the above mentioned factors, this Court is of the considered view that the petitioner is entitled for interim bail to attend his brother marriage to be held on 11.01.2021, subject to the fulfillment of the following conditions:-

a) The trial Prisoner, namely, X.Thomas Francis, who is now confined in the Central Jail, Madurai, is granted interim bail for a period of three days, ie., from 08.00 a.m on 10.01.2021 till 04.00 p.m., on 12.01.2021, on execution of own bond for a sum of Rs.10,000/- to the satisfaction of the Superintendent of Central Prison, Madurai;

b)The Superintendent of Prison, Central Jail, Madurai, is hereby directed to release the petitioner on his execution of bond to his satisfaction.

c)During the period of interim bail, from 10.01.2021 to 12.01.2021, the petitioner shall appear before the Inspector of Police, Meignanapuram Police Station, Thoothukudi District, at 10.00 a.m daily;

d)It is made clear that the trial prisoner should be brought back to the Central Jail, Madurai, by 5.00 p.m., on 12.01.2021, without fail;



e)The State Police during the period of interim bail shall provide proper escort to the trial prisoner in order to ensure the safety and security of the trial prisoner. They shall also impose suitable conditions to that effect.

f)The petitioner shall bear the escort expenses of the State Police, prescribed by the authorities;

g)The trial prisoner should also abide by the conditions to be imposed by the authorities concerned.

7.Post the matter on 18.01.2021 for reporting compliance.

sd/-

07/01/2021

/ TRUE COPY /

/ /2021

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.

TO

1. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
2. THE INSPECTOR OF POLICE,
CBI POLICE STATION, NEW DELHI,
3. THE INSPECTOR OF POLICE,
MEIGNANAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
5. THE SPECIAL PUBLIC PROSECUTOR FOR CBI CASES,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL MP (MD) Nos.124 and 125 of 2021
in
Crl OP (MD) Nos.44 and 46 of 2021
Date : 07/01/2021

VSG

AE/SMA/SAR-I (08/01/2021) 3P / 7C

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