



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

Friday, the Twenty Third day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN

CRL OP(MD) No.1081 of 2015

JOSEPH SAHAYARAJA @ RAJA

... PETITIONER/ACCUSED No.1

Vs

STATE.REP.BY

THE INSPECTOR OF POLICE

SOUTH POLICE STATION,THOOTHUKUDI DT.

CR.NO.803/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.ANANDAKUMAR Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

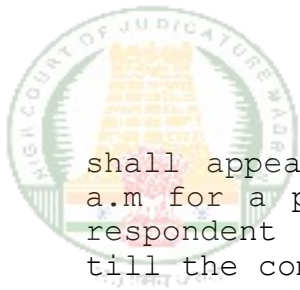
The petitioner, who was arrested by the respondent police on 17.12.2014 for the alleged offence under Sections 397 IPC in Crime No.803 of 2014 on the file of the respondent police, seeks bail.

2. There are totally three accused and the petitioner herein is arrayed as Accused No.1. All the three accused said to have waylaid the defacto complainant, while he was travelling in the National Highway, and assaulted him and robbed a sum of Rs.20,000/-.

3. The learned counsel for the petitioner would submit that the defacto complainant is known to the petitioner and there was a wordy altercation and on account of the same, the above said police complaint came to be lodged and he has nothing to do with the alleged commission of offence. He further submitted that considering the period of incarceration, the petitioner may be enlarged on bail.

4. This petition is strongly opposed by the learned Government Advocate (Crl.side), by submitting that the petitioner waylaid the defacto complainant, attacked him and robbed a sum of Rs.20,000/-, and that all other accused were arrested and the money has been recovered, and this petitioner is having one case in Crime No.804 of 2014 registered by the same police for the commission of offence under Section 387 IPC.

5. This Court, taking into consideration the submission made by the learned counsel for the petitioner and also the facts and circumstances of the case, and the fact that all the accused were arrested and the money has also been recovered, is inclined to grant the relief of bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his 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 No.1, Thoothukudi, and on further condition that the petitioner shall stay at Dharmapuri and



shall appear before the Dharmapuri Town Police Station, daily at 11.00 a.m for a period of four weeks and thereafter, shall report before the respondent Police once in a fortnight, on every Monday, at 11.00 a.m., till the completion of investigation.

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sd/-
23/01/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
TUTICORIN.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN.
 - 3 THE OFFICER INCHARGE,
DHARMAPURI TOWN POLICE STATION,DHARMAPURI.
 - 4 THE SUPERINTENDENT
CENTRAL PRISON,PALAYAMKOTTAI.
 - 5 THE INSPECTOR OF POLICE
SOUTH POLICE STATION,THOOTHUKUDI DISTRICT.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.N.ANANDAKUMAR Advocate SR.No.3121

ORDER
IN
CRL OP(MD) No.1081 of 2015
Date :23/01/2015

PA/27.01.15/2P/8C