



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

Wednesday, the Eleventh day of February Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1131 of 2015

MURUGAN @ RAJA

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.762/2014.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ANAND Advocate

For Respondent : M/S.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 and remanded to judicial custody on 28.12.2014 for the offences punishable under Sections 448, 506(ii) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act @ 448, 393 and 506(ii) of IPC in Crime No.762 of 2014 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that this petitioner along with A-1 had attempted to commit robbery in the house of the *defacto* complainant and at that time, servant-maid raised alarm and this petitioner escaped from there. But, it appears that, during further investigation, servant-maid has been made as one of the accused and she has been arrested.

3. It is contended by the learned counsel for the petitioner that this petitioner was not involved in the offence and the case was foisted against him and only thereafter, during investigation, it came to light that the servant-maid has created a scene as if there was a case of robbery.

4. Taking into consideration the facts and circumstances of the case, I am inclined to grant bail to the petitioner, subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of which, one should compulsorily



be either parent, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Virudhunagar, Virudhunagar District and on further condition that:

[a] the petitioner shall report before the respondent police daily evening at 6.30 p.m. for a period of four weeks and thereafter, as and when required for interrogation.

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

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

[d] 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
11/02/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, VIRUDHUNAGAR.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE, VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE OFFICER IN-CHARGE, SUB-JAIL, VIRUDHUNAGAR.
- 5 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.ANAND, Advocate, SR.No.6306.

ORDER IN
CRL OP(MD) No.1131 of 2015
Date :11/02/2015