



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

Tuesday, the Eighteenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15056 of 2015

DEVA @ VASUDEVAN

... PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE,
WORAIYUR POLICE STATION,
TIRUCHIRAPPALLI CITY,
TIRUCHIRAPPALLI DISTRICT.
CRIME NO.401/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADA KUAMR Advocate
For Respondent : MRS.S.PRABHA,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is the sole accused in Crime No.401 of 2015 on the file of the respondent police, was arrested on 08.06.2015 for the alleged offence punishable under Section 397 of I.P.C., and hence, seeks bail.

2. The prosecution case is that on 08.06.2015, at 8.00 a.m., the accused demanded Rs.1,000/- from the de-facto complainant at knife point.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and the respondent has filed two cases in the year 2015 and passed an order under Section 107 of Cr.P.C., and thereafter, invoked the proceedings under Section 122 of Cr.P.C. to detain him for a period of one year for violation of the order passed under Section 107 of Cr.P.C.

4. The learned counsel for the petitioner further submitted that the order passed under Section 122 of Cr.P.C., was challenged by the petitioner in Crl.O.P.Nos.13878 of 2015 and 13957 of 2015 and this Honourable Court has passed an order on 29.07.2015 and it is



further submitted that between 2011 and 2014, the respondent has filed at about 7 cases against the petitioner and out of 7 cases, he was acquitted in 5 cases and for the past 2 years, the respondent has not filed any case against the petitioner.

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5. The learned Government Advocate (Crl.side) filed a detailed counter opposing the bail petition stating that the petitioner is a history sheeted and he is having 13 cases to his credit.

6. However, considering the period of incarceration and submission of the learned counsel for the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions. 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 each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Thiruchirapalli and on further condition that the petitioner shall reside at Dindivanam and report before the Dindivanam Taluk Police Station daily twice at 10.00 a.m. and 5.00 p.m. until further orders.

sd/-
18/08/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV, TIRUCHIRAPALLI.
- 2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, TIRUCHIRAPALLI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE,
WORAIYUR POLICE STATION, TRICHY CITY, TRICHY DISTRICT.
- 5 THE SUPERINDENT, CENTRAL PRISON, TIRUCHIRAPALLI.
- 6 THE INSPECTOR OF POLICE,
DINDIVANAM TALUK POLICE STATION, DINDIVANAM.

+1. CC to M/S.A.THIRUVADA IKUAMR Advocate SR.No.47285

Akm/19.08.2015 /2p-8c/

ORDER
IN
CRL OP(MD) No.15056 of 2015
Date :18/08/2015