



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Sixteenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4847 of 2015

PUTHIAVAN

..PETITIONER/ACCUSED No.4

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE

ELATHUR POLICE STATION,

TIRUNELVELI DISTRICT.

(CRIME NO. 56 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.VENKATESH Advocate (No Appearance)

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner/Sole accused, who was arrested on 27.02.2015 for the offence punishable under Section 379 IPC in Crime No.56 of 2015 on the file of the respondent police, seeks bail.

2. Boycott of Courts pursuant to boycott called by Bar Council of India protesting the murder of an Advocate by police. There is no representation on behalf of the petitioner. Head the learned Government Advocate (Crl.side) appearing for the State and perused the materials available on record.

3. The learned Government Advocate would submit that the petitioner had stolen PVC pipes worth about Rs.11,400/- belonging to the defacto complainant. He would further submit that there is no previous case pending against the petitioner and the property has also been recovered.

4. Under such circumstances, this Court is of the view that it is a fit case to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on condition 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 learned Judicial Magistrate, Shengottai, and out of two sureties, one surety should be either his father or his mother on further condition that:

[a] the petitioner shall report before the respondent police daily 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]. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioner is complying with the order or not.

sd/-
16/03/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, SHENGOTTAI, TIRUNELVELI DISTRICT.
- 2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 4 THE SUB INSPECTOR OF POLICE, ELATHUR POLICE STATION,
TIRUNELVELI DISTRICT.
- 5 THE AUTHORISED OFFICER, BORSTAL SCHOOL, NANGUNERI.

+1. CC to M/S.D.VENKATESH Advocate SR.No.12463

ORDER IN
CRL OP(MD) No.4847 of 2015
Date :16/03/2015

PBK 17/03/2015 ::2P-7C: