



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

Tuesday, the Twenty Fourth day of February Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1985 of 2015

SEVUGAPANDI

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
THENKARAI POLICE STATION,
PERIYAKULAM, THENI DISTRICT.
(CRIME NO.11 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.SHANKAR GANESH Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

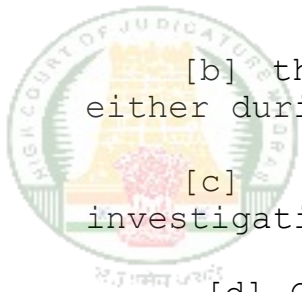
The petitioners, who was arrested and remanded to judicial custody on 08.01.2015 for the offence punishable under Section 397 IPC in Crime No.11 of 2015 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this petitioner had brandished knife and had tried to rob the de-facto complainant of Rs.500/-. He was overpowered by the public and handed over to the police. It appears that the public had thrashed him on account of which, he sustained some injuries.

3. The learned Government Advocate (crl. Side) submits that this petitioner has seven previous cases. But it is seen that some of the cases relate to 107 Cr.P.C. and 506(ii) IPC etc. Since the petitioner is in incarceration since 08.01.2015, this Court is inclined to grant bail to him, but with conditions.

4. 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, out of which, the one should be from the relative of the petitioner, each for a like sum to the satisfaction of the learned Judicial Magistrate, Periyakulam, and on further condition that:

For the petitioner shall report before the respondent police everyday daily at 6.30p.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, as to whether these petitioner is complying with the condition or not.

sd/-
24/02/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PERIYAKULAM.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THENI.
 - 3 THE INSPECTOR OF POLICE, THENKARAI POLICE STATION, PERIYAKULAM, THENI DISTRICT.
 - 4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.SHANKAR GANESH, Advocate SR.No.8378.

ORDER IN
CRL OP(MD) No.1985 of 2015
Date :24/02/2015

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