



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

Monday, the Twenty Third day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2769 of 2015

SANGILIKALAI

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

GANDAMANUR POLICE STATION, THENI DISTRICT.

CR. NO.10/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P. SENGUTTARASAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, 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 18.01.2015, for the offence punishable under Section 380 of the Indian Penal Code, in Crime No.10 of 2015, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this petitioner had taken away a sum of Rs.8,500/- from the *de facto* complainant, who had kept the money in his shirt pocket and the shirt was kept in the hanger.

3. It is represented by the learned Government Advocate [Criminal Side] that the money has been recovered and there is no previous case against the petitioner.

4. Since the petitioner has been in incarceration from 18.01.2015 and money has been recovered, this Court is inclined to grant bail to the petitioner. 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, Andipatty and on further condition that:

[a] the petitioner shall report before the respondent police daily at 06.30 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 on him. The petitioner is 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 compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-
23/02/2015

/ TRUE COPY /

WEB COPY

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

TO

1. THE JUDICIAL MAGISTRATE, ANDIPATTY.
 2. DO THRO THE CHIEF JUDICIAL MAGISTRATE, THENI.
 3. THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 4. THE OFFICER INCHARGE,
SUB JAIL PERIYAKULAM.
 5. THE INSPECTOR OF POLICE
GANDAMANUR POLICE STATION, THENI DISTRICT.
- +1. CC to M/S.P. SENGUTTARASAN Advocate SR.No.8238

ORDER
IN
CRL OP(MD) No.2769 of 2015
Date :23/02/2015

rg.24.02.2015 2p.7c.