



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3423 of 2015

KANNAN

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE
KURANGANI POLICE STATION,
THENI DISTRICT.
CR.NO.10/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.D.RAMESHKUMAR Advocate

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, who was arrested and remanded to judicial custody on 29.01.2015 for the offences punishable under Sections 457 and 380 I.P.C. in Crime No.10 of 2015 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.01.2015, the petitioner entered into the house of the defacto complainant and stolen coffee beans worth about Rs.22,500/- and ran away from the scene of occurrence. Subsequently, the petitioner was arrested on 29.01.2015.

3. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.Side), who would submit that the stolen articles were already recovered and no previous case is against the petitioner.

4. Taking into consideration the fact that the stolen articles were recovered and there is no previous case against the petitioner, I am inclined to grant bail to this petitioner.

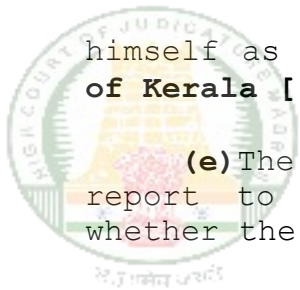
5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/-(Rupees Ten Thousand Only) with two sureties(one of the surety shall be executed by either the mother or the father of the petitioner), each for a like sum to the satisfaction of the Judicial Magistrate, Uthamapalayam and on further conditions 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]**.

(e) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioner is complying with the order or not.

sd/-

26/02/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM, THENI DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE SUB INSPECTOR OF POLICE, KURANGANI POLICE STATION,
THENI DISTRICT.

+1. CC to M/S.D.RAMESHKUMAR Advocate SR.No.8921

ORDER IN

CRL OP(MD) No.3423 of 2015

Date :26/02/2015

PBK 27/02/2015 ::2P-6C: