



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Twelfth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.397 of 2015

N.M.EKANATH

..PETITIONER/ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
TOWN CIRCLE SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.
CRIME NO.162/2014,
VANNIAMPATTI POLICE STATION,
U/S. 395, 397 R/W 411 & 414 IPC

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.VIJAYAKUMAR 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 30.12.2014 for the offences punishable under Sections 395, 397 r/w 411 and 414 of Indian Penal Code in Crime No.162 of 2014 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 07.09.2014, five accused entered into the house of the *defacto* complainant, who is the Village Administrative Officer and attacked him and had committed dacoity. Based on the complaint, this case was registered and four of the accused were arrested. On the arrest of one accused, by name Saravanan, it came to the light that the jewelleries that were taken from the house of the *defacto* complainant were handed over by the said Saravanan to Ekanath, the petitioner herein.

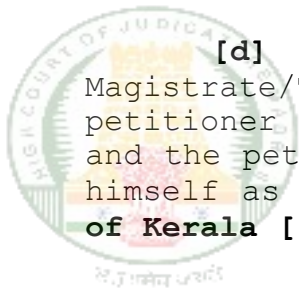
3. This petitioner was arrested on 30.12.2014. Since the investigation in respect of this petitioner has been completed and that he has not involved in the dacoity incident and that he is only the receiver of stolen property, I am inclined to grant bail to this petitioner.

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, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District and on further condition that:

[a] the petitioner shall report before the respondent police twice a day daily at 10.30 a.m. and 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]**.

sd/-
12/01/2015

WEB COPY / TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 4 THE INSPECTOR OF POLICE, TOWN CIRCLE SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT CRIME NO.162/2014, VANNIAMPATTI POLICE STATION,
U/S. 395, 397 R/W 411 & 414 IPC
- 5 THE OFFICER INCHARGE, SUB JAIL, VIRUDHUNAGAR.

+1. CC to M/S.S.VIJAYAKUMAR Advocate SR.No.1446
ORDER IN
CRL OP(MD) No.397 of 2015
Date :12/01/2015

PBK 12/01/2015 ::2P-7C: (IT)