

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

Tuesday, the Seventeenth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.4409 of 2015

WEB COPY

THANGARAJ

... PETITIONER/ACCUSED NO.3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ELATHUR POLICE STATION,
TIRUNELVELI DISTRICT.
CR. NO.161/2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.R.A.RAMACHANDRAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
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 21.02.2015, for the offence punishable under Sections 379 IPC @ 379, 414 IPC r/w 34 IPC of the Indian Penal Code, in Crime No.161 of 2014, on the file of the respondent police, seeks bail.

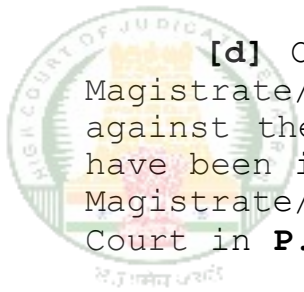
2. The case of the prosecution is that this petitioner, along with A-1, had committed theft of a Motorcycle on 06.07.2014 and this petitioner was arrested on 21.02.2015 and the Motorcycle has also been recovered. There is no previous case against the petitioner.

3. In such circumstances, 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 (one surety should be a parent of the accused) each for a like sum to the satisfaction of the learned Judicial Magistrate, Shancottai, Tirunelveli District and 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 compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-
17/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SHANCOTTAI, TIRUNELVELI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI DISTRICT
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI
- 4 THE INSPECTOR OF POLICE ELATHUR POLICE STATION,
TIRUNELVELI DISTRICT.
- 5 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.R.A.RAMACHANDRAN Advocate SR.No.12608

ORDER
IN
CRL OP(MD) No.4409 of 2015
Date :17/03/2015

NA/17/03/2015/P2/7C