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

Monday, the Sixteenth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.4496 of 2015

SARAVANAN @ DINESHKUMAR @ THIRUCHI RAJA ... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO. 43 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : No appearance

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/Sole accused, who was arrested on 30.01.2015 for the offence punishable under Sections 465, 468, 471 and 420 r/w 511 of IPC in Crime No.43 of 2015 on the file of the respondent police, seeks bail.

2. Boycott of Courts pursuant to boycott called by Bar Council of India protesting the murder of an Advocate by police. The wife of the petitioner is present before this Court.

3. Head the learned Government Advocate (Crl.side) appearing for the State and perused the materials available on record.

4. It is seen that this petitioner had attempted to cheat the defacto complainant by selling a car with fake records and number plate. The said records have been seized from the accused.

5. The learned Government Advocate submits that there is one previous case against this petitioner.

6. In the confession statement, the accused himself disclosed that he was granted bail in that case by the court.



7. The wife of the petitioner, who is present before this Court, has pleaded that she is in the family way and she is likely to deliver a child in another 10 days.

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8. Taking into consideration all these factors, this Court is inclined to grant to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on condition the petitioner shall execute 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, Sivakasi, and on further condition that:

[a] the petitioner shall report before the respondent police daily twice at 10.30 a.m and 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 a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioner is complying with the order or not.

sd/-
16/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAKASI.
 - 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 - 3 THE OFFICER INCHARGE, DISTRICT JAIL, VIRUDHUNAGAR.
 - 4 THE INSPECTOR OF POLICE
SIVAKASI EAST POLICE STATION, VIRUDHUNAGAR DISTRICT.
 - 5 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.T.LENIN KUMAR Advocate SR.No.12359

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PA/16.03.2015/P1/7C

ORDER IN
CRL OP(MD) No.4496 of 2015
Date :16/03/2015