



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.4872 of 2015

1 PARAMASIVAN

2 ARUMUGA RAJ

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY THE SUB-INSPECTOR OF POLICE

ELATHUR POLICE STATION,

TIRUNELVELI DISTRICT.

CRIME NO.161/2014

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.ADITHYAVIJAYALAYAN for Mr.D.VENKATESH 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 were arrested and remanded to judicial custody on 20.02.2015, 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, seek bail.

2. The case of the prosecution is that these petitioners had committed theft of a Motorcycle on 06.07.2014 and they were arrested on 20.02.2015 and the Motorcycle has also been recovered. There is no previous case against these petitioners.

3. In such circumstances, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each (One surety should be a parent by the accused) for a like sum to the satisfaction of the learned Judicial Magistrate, Tenkasi and on further condition that:

[a] the petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners are complying with the order or not.

sd/-

17/03/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, TENKASI, TIRUNELVELI DISTRICT.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

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

4 THE SUB-INSPECTOR OF POLICE, ELATHUR POLICE STATION,
TIRUNELVELI DISTRICT.

5 THE OFFICER INCHARGE, SUB JAIL, TENKASI, TIRUNELVELI DISTRICT.

+1. CC to M/S.D.VENKATESH Advocate SR.No.12501

ORDER IN

CRL OP(MD) No.4872 of 2015

Date :17/03/2015

PBK 17/03/2015 ::2P-7C: