



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

Wednesday, the First day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5655 of 2015

MANI

... PETITIONER/ ACCUSED NO.3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PALAKKARAI POLICE STATION, TRICHY,
CRIME NO.118/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.GANAPATHI SUBRAMANIAN Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

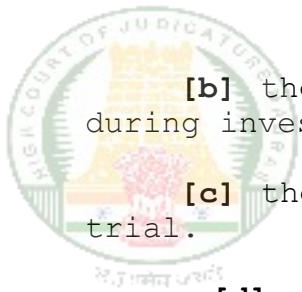
The petitioner, who was arrested and remanded to judicial custody on 06.03.2015, for the offence punishable under Section 392 of the Indian Penal Code, in Crime No.118 of 2015, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this petitioner had borrowed RS.5 lakhs from the *de facto* complainant and had repaid the same on 05.03.2015. When the *de facto* complainant was carrying the money by bus, one person boarded into the bus and snatched the bag, containing the money, from the *de facto* complainant and ran away. On the complaint lodged by the *de facto* complainant, the police registered the present case and arrested the accused Nos.1 and 2, who in their confession, implicated this petitioner also. According to the learned counsel for the *de facto* complainant, it was this petitioner, who had set them up to follow the *de facto* complainant and snatch the bag.

3. It is represented by the learned Government Advocate [Criminal Side] that the entire amount has been recovered from the possession of the first accused. It is also represented that the accused Nos.1 and 2 have been granted bail by the learned Principal Sessions Judge, Tiruchirappalli, on 30.03.2015, in Cr.M.P.No.708 of 2015.

4. 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, each for a like sum to the satisfaction of the learned Judicial Magistrate, No.V, Trichy and on further condition that:

[a] the petitioner shall report before the respondent police daily at 06.30 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/-

01/04/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.V,TRICHY.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE TRICHY.

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

4.THE SUPERINTENDENT CENTRAL PRISON, TRICHY.

5.THE INSPECTOR OF POLICE
PALAKKARAI POLICE STATION, TRICHY.

+1. CC to M/S.P.GANAPATHI SUBRAMANIAN Advocate SR.No.16245

ORDER

IN

CRL OP(MD) No.5655 of 2015

Date :01/04/2015

rg.01.04.2015

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