



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Wednesday, the Third day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7840 of 2015

1 EMERSON SAMUEL

2 JAWAHAR

..PETITIONER/ACCUSED 2 & 4

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

NAZARETH POLICE STATION,

THOOTHUKUDI DISTRICT.

CRIME NO.83/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.A.EBENEZER Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate (Criminal Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A-2 and A-4 in Crime No.83 of 2015 on the file of the respondent police were arrested and remanded to the judicial custody by the respondent police on 06.04.2015 for the alleged offence under Section 399 of I.P.C r/w Section 25(1-a) of Arms Act and hence seek bail.

2. The case of the prosecution is that on 06.04.2015 when the police party was on patrol, the accused was found with aruval and iron rod and they were in preparation to commit robbery at Nazareth Co-operative Bank.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. It is further submitted that the accused Nos.1 and 6 were released on bail by the Sessions Court in Cr.M.P.No.1287 of 2015 and the fifth accused was granted bail by this Court in Crl.O.P(MD)No.7667 of 2015.

4. The learned Government Advocate(Crl. Side) vehemently opposed this bail petition stating that the first petitioner/A-2 is involved in fifteen previous cases and the second petitioner/A-4 is involved in four previous cases of I.P.C offences and the offence under the Arms Act.

5. However, considering the nature of allegation and the period of incarceration, I am inclined to enlarge the petitioners on bail on the following conditions. Accordingly, the petitioners are directed to be released on bail on executing a separate 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, Sattankulam, and on further condition that the petitioners shall appear before the respondent police daily twice i.e., at 10.00 a.m and 5.00 p.m until further orders.

sd/-

03/06/2015

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE, SATTANKULAM, THOOTHUKUDI DISTRICT.

2 ~~-DO-THRO~~'THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.

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

4 THE INSPECTOR OF POLICE, NAZARETH POLICE STATION,  
THOOTHUKUDI DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.

+1. CC to M/S.T.A.EBENEZER Advocate SR.No.27288

ORDER IN  
CRL OP(MD) No.7840 of 2015  
Date :03/06/2015

PBK/SJW 03/06/2015 ::2P-7C: