



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

Wednesday, the Thirteenth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.11260 and 11261 of 2016

DINESH @ CHINNA DINESH ... PETITIONER/ACCUSED NO.5
(CRL OP(MD).No.11260/16)

ARUNPRASATH @ VAGANA ARUN @
ARUN @ ARUN PRAKASH ... PETITIONER/ACCUSED NO.4
(CRL OP(MD).No.11261/16)

Vs

STATE REP.BY THE SUB INSPECTOR OF POLICE
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL.(CR.NO. 520/2016) ... RESPONDENT/COMPLAINANT in
both Crl OP's

For Petitioner : M/S D.RAMESHKUMAR Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners who are arrayed as accused nos. 4 and 5 were arrested and remanded to judicial custody on 15.04.2016 for the alleged offences punishable under Sections 392 r/w. 397 and 506(ii) of IPC in Crime No.520 of 2016, on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that the petitioners waylaid the defacto complainant and snatched a sum of Rs.2,100/- at knife point. On complaint, a case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that due to previous enmity the petitioners name have been falsely implicated in this case and prays for enlarging the petitioners on bail.

4.The learned Government Advocate(Crl.side) submitted that the investigation of the case is pending.

5.Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:



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(i) each of 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 No.II, Dindigul.

(ii) the petitioners shall appear before the respondent Police daily at 5.00 pm until further orders.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners shall not abscond either during investigation or trial.

(v) 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the condition or not.

sd/-

13/07/2016

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL.

2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL

3 THE SUB INSPECTOR OF POLICE, DINDIGUL TOWN NORTH POLICE STATION, DINDIGUL.

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S D.RAMESHKUMAR Advocate SR.No. 36170, 36171

JA-NGM-MP/SAR.I/13.07.2016-2P:8C

ORDER IN

CRL OP(MD) No.11260 AND
11261 of 2016

Date :13/07/2016