



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

Friday, the Twenty Second day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11714 of 2016

RAMANATHAN

... PETITIONER / ACCUSED No.1

Vs

State rep.by

THE INSPECTOR OF POLICE

SIPCOT POLICE STATION, TUTICOIRN DISTRICT.

CR. NO.177/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.MUTHUMALAIRAJA Advocate

For Respondent : Mr.P.Kannithevan, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

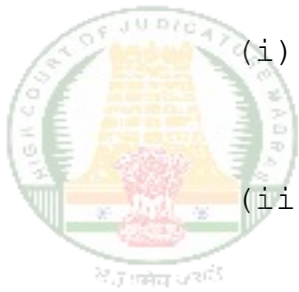
The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 16.06.2016 for the alleged offences punishable under Sections 454, 380 and 511 of IPC, in Crime No.177 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused tried to commit theft in one Sudalaimani house neighbour of the defacto complainant, at that time, they caught hold the petitioner. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is working as Police Constable in Aathur Police Station, Tuticorin District. In the night hours he went to his relative house and return back from there at the time the public mistakenly presume that he is a thief. The petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. The petitioner is in judicial custody from 16.06.2016.

4.Heard the learned Government Advocate(Crl.side).

5.Considering the nature of offence and also considering the fact that the petitioner is in judicial custody from 16.06.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:



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- (i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Tuticorin.
- (ii) the petitioner shall report before the the learned Judicial Magistrate No.I, Tuticorin daily at 10.30 a.m. until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner 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 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]**.

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 petitioner is complying with the condition or not.

sd/-
22/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TUTICORIN
- 2 THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT
- 3 THE OFFICERS INCHARGE, SUB JAIL, TUTICORIN DISTRICT
- 4 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, TUTICOIRN DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S S.MUTHUMALAIRAJA Advocate SR.No.38683

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ORDER
IN
CRL OP(MD) No.11714 of 2016
Date :22/07/2016