



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

Thursday, the Twenty First day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12311 of 2016

P. ARUN

... PETITIONER / ACCUSED

Vs

THE SUB INSPECTOR OF POLICE
DINDIGUL TOWN NORTH POLICE STATION,
DINDIGUL,
(CRIME NO.650/2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S B.ASHA, Advocate

For Respondent : M/S.P.KANNITHEVAN,

Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner who is arrayed as accused was arrested and remanded to judicial custody on 30.05.2016 for the alleged offence punishable under Sections 392 r/w. 397 and 506(ii) of IPC in Crime No.650 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the petitioner threatened the defacto complainant at knife point and took away a sum of Rs.500/- from his pocket and also threatened him with dire consequences. On complaint, a case has been registered for the above said offences.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 30.05.2016 and prays for enlarging the petitioner on bail.

4.The learned Government Advocate(Crl.side) submitted that the petitioner was detained under Act 14, 1982 and subsequently, the same was withdrawn and he is having three previous cases in Crime Nos.544, 251 and 841 of 2015 and the investigation of the case is pending.



5. Considering the facts and circumstances of the case and also considering the fact that the order of detaining him under Act 14 of 1982 is revoked and that the petitioner is in judicial custody from 30.05.2016, I am 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:

- (i) 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 petitioner shall appear before the respondent Police daily at 10.00 am and 5.30 pm 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/-

21/07/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II, DINDIGUL
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT
3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4. THE SUB INSPECTOR OF POLICE
DINDIGUL TOWN NORTH POLICE STATION, DINDIGUL,
5. THE OFFICER-IN-CHARGE, SUB-JAIL, DINDIGUL
- +1. CC to M/S B.ASHA Advocate SR.No.38337
RL/7C/2P/SK/SKN/SARI/21/7/2016

ORDER
IN

CRL OP(MD) No.12311 of 2016
Date : 21/07/2016