



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

Thursday, the Twenty Eighth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13084 of 2016

SIVA @ SIVAKUMAR

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
TOWN POLICE STATION,
SIVAGANGAI.
(CRIME NO.473 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S A.MOHAN Advocate

For Respondent : Mr.P.KANNITHEVAN, Government 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 who was arrested and remanded to judicial custody on 26.06.2016 for the alleged offence punishable under Section Sections 392, 397 and 506(ii) of I.P.C., in Crime No.473 of 2016, on the file of the respondent police and hence, seeks bail.

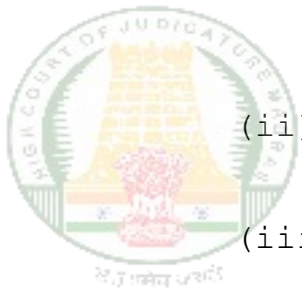
2. The case of the prosecution is that on 26.06.2016, the petitioner, at knife point, robbed a sum of Rs.1,000/- from the de-facto complainant and threatened him with dire consequences.

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 he is in custody from 26.06.2016.

4. The learned Government Advocate (Crl.side) submitted that there is no previous case pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 26.06.2016, 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:

- (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, Sivagangai.



- (ii) the petitioner shall report before the respondent police daily at 10.00 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/-

28/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

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

4 THE INSPECTOR OF POLICE, TOWN POLICE STATION, SIVAGANGAI.

5 THE OFFICER IN CHARGE, DISTRICT SUB JAIL, SIVAGANGAI.

+1. CC to M/S A.MOHAN Advocate SR.No.40356

ORDER IN

CRL OP(MD) No.13084 of 2016

Date : 28/07/2016

PBK/SKS-RR/SAR-III 29/07/2016 :: 2P-7C::