



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.13125 of 2016

1 MAHARAJA

2 BACKIYARAJ,

..PETITIONERS/ACCUSED 1 & 2

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE,

T.KALLUPATTI POLICE STATION,

T.KALLUPATTI, MADURAI DISTRICT.

(CRIME NO.132 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.T. VADIVELAN 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 petitioners are arrayed as accused Nos.1 and 2, who were arrested and remanded to judicial custody on 02.07.2016 for the alleged offence punishable under Sections 392 r/w. 511 of I.P.C., in Crime No.132 of 2016, on the file of the respondent police and hence, seek bail.

2. The case of the prosecution is that on 30.06.2016 at about 8.30 p.m., when the de-facto complainant went along with her husband in a two wheeler, the petitioners attempted to snatch her gold chain. On complaint, case has been registered against the petitioners for the aforesaid 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. The petitioners are in judicial custody from 02.07.2016.

4. The learned Government Advocate (Crl.side) submitted that the petitioners attempted to snatch the chain of the de-facto complainant.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioners are in judicial custody from 02.07.2016, 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:



- (i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Peraiyur.
- (ii) the petitioners shall report before the respondent police as and when required.
- (iv) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (v) the petitioners shall not abscond either during investigation or trial.
- (vi) 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/-
28/07/2016

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, PERAIYUR, MADURAI DISTRICT.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,MADURAI.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE, T.KALLUPATTI POLICE STATION, T.KALLUPATTI, MADURAI DISTRICT.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S.T. VADIVELAN Advocate SR.No.40128

ORDER IN

CRL OP(MD) No.13125 of 2016

Date :28/07/2016