



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

Wednesday, the Tenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13913 of 2016

MANIKANDAN

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY

THE SUB INSPECTOR OF POLICE

ODDANCHATRAM POLICE STATION,

ODDANCHATRAM, DINDIGUL DISTRICT.

CRIME NO.301 OF 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.PRAGALATHAN 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 No.1, who was arrested and remanded to judicial custody on 29.05.2016 for the alleged offences punishable under Sections 392 and 506(ii) IPC, in Crime No.301 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 stolen a sum of Rs.600/- from the defacto complainant. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner is in custody from 29.05.2016.

4.The learned Government Advocate (Criminal Side) submitted that five previous cases are pending against the petitioner and the investigation is pending and the charge-sheet is filed and the same is taken on file in C.C.No.87 of 2016.

5.Considering the fact that the investigation is completed and charge-sheet is filed and also considering the fact that the petitioner is in judicial custody from 29.05.2016, 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:

<https://hcservices.ecourts.gov.in/hcservices/>

- (1) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two



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sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Oddanchatram.

- (ii) the petitioner shall report before the said Court daily at 10.30 a.m., for a period of four weeks and thereafter in all future hearings regularly.
- (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/-

10/08/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, ODDANCHATRAM, DINDIGUL DISTRICT.
- 2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE,DINDIGUL.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE SUB INSPECTOR OF POLICE, ODDANCHATRAM POLICE STATION, ODDANCHATRAM, DINDIGUL DISTRICT.
- 5 THE OFFICER-IN-CHARGE, DISTRICT JAIL, DINDIGUL.

+1. CC to M/S.N.PRAGALATHAN Advocate SR.No.43411

ORDER IN

CRL OP(MD) No.13913 of 2016

Date :10/08/2016