



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.14263 of 2016

BAKRUDEEN

...PETITIONER/ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
THADIKOMBU POLICE STATION,
DINDIGUL DISTRICT.
(CR.NO. 242/2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.MAHENDRAPATHY 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 :-

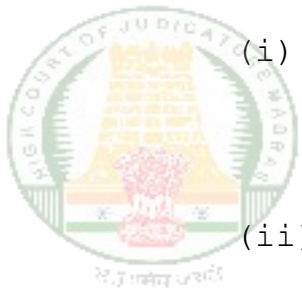
The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 22.06.2016 for the alleged offence punishable under Section 392 IPC, in Crime No.242 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 22.06.2016, the petitioner along with other accused snatched two sovereigns of gold chain of 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 and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 22.06.2016.

4.The learned Government Advocate (Crl. side) submitted that the petitioner is having eight previous cases. Investigation is pending. If the petitioner is released on bail, he will tamper the evidence and hamper the investigation.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 22.06.2016, the 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 each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Dindigul.
- (ii) the petitioner shall report before the respondent police daily twice at 10.00 a.m., and 05.00 p.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/-

10/08/2016

/ 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 THRO THE CHIEF JUDICIAL MAGISTRATE,DINDIGUL DISTRICT.
- 3 THE SUPERINTENDENT,CENTRAL PRISON,MADURAI.
- 4 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE INSPECTOR OF POLICE, THADIKOMBU POLICE STATION, DINDIGUL DISTRICT.
- +1. CC to M/S S.MAHENDRAPATHY Advocate SR.No.43434.

ORDER

IN

CRL OP(MD) No.14263 of 2016

Date :10/08/2016