



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

Monday, the Twenty Ninth day of August Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.15695 of 2016

C.PERIYANAA KUMAR

... PETITIONER/SOLE ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
KEERAITHURAI POLICE STATION,
MADURAI
CRIME NO. 554 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MALAIKANI 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 :-

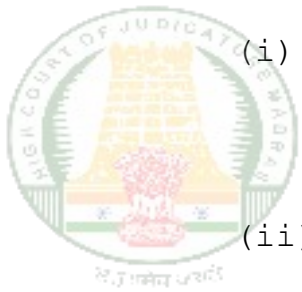
The petitioner is arrayed as sole accused, who was arrested and remanded to judicial custody on 01.08.2016 for the alleged offences punishable under Section 392 r/w 397 and Section 506(ii) IPC in Crime No.554 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner waylaid the defacto complainant and snatched Rs.500/-. 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 01.08.2016.

4.The learned Government Advocate (Crl. side) submitted that the petitioner is having four previous cases and out of the four cases, two cases were registered for the offence under Section 302 IPC and 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 the petitioner is in judicial custody from 01.08.2016, 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:



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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.IV, Madurai.
- (ii) the petitioner shall report before the respondent police daily twice at 10.30 a.m and 5.00p.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/-
29/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV, MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE,
KEERAITHURAI POLICE STATION, MADURAI
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER IN CHARGE, BORSTAL SCHOOL, MELUR, MADURAI DISTRICT.

+1. CC to M/S.S.MALAIKANI Advocate SR.No.47762

ORDER

IN

CRL OP (MD) No.15695 of 2016

Date :29/08/2016

CM

CSL/GSV-PM/SAR-I/29.08.2016: 2P/7C

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