



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

Friday, the Twenty Sixth day of August Two Thousand Sixteen

PRESENT

The Hon`ble Dr.Justice S.VIMALA

CRL OP(MD) No.15805 of 2016

VEERAPANDIAN

... PETITIONER/ACCUSED NO.1

Vs

STATE REP BY
THE INSPECTOR OF POLICE
POOLANKURUCHI POLICE STATION,
SIVAGANGAI DISTRICT.
(IN CRIME NO.11 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SARAVANA KUMAR Advocate
For Respondent : M/S.A.P.BALASUBRAMANI,
Government Advocate (CrI. 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 13.06.2016 for the alleged offences punishable under Section 392 IPC, in Crime No.11 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 31.05.2016 when the defacto complainant Renga Mohan was in his shop, 2 persons came to his shop and snatched 3 ½ sovereigns of jewels and ran away. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 13.06.2016.

4.The learned Government Advocate (CrI. side) submitted that the identification parade was over and the property robbed was recovered but the co-accused is not yet arrested. 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 13.06.2016, 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 each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Thirupathur.
- (ii) the petitioner shall report before the respondent police once in a week ie., on every Monday at 10.30 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/-

26/08/2016

/ TRUE COPY /

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

TO

- 1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, THIRUPATHUR
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4.THE SUPERINTENDENT, CENTRAL PRISON, PUDHUKOTTAI
- 5.THE INSPECTOR OF POLICE
POOLANKURUCHI POLICE STATION, SIVAGANGAI DISTRICT.
- +1. CC to M/S.S.SARAVANA KUMAR Advocate SR.No.47533
RL/7C/2P/SK/SKN/SARIII/26/8/2016

ORDER

IN

CRL OP(MD) No.15805 of 2016

Date :26/08/2016