



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

Wednesday, the Thirty First day of August Two Thousand Sixteen

PRESENT

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

Crl.O.P(MD)Nos.16194 & 16229 of 2016

ANANTHARAJ

... PETITIONER / ACCUSED (Rank not
Known) in Crl OP(MD)No.16194/16

MANI KANDAN

... PETITIONER / ACCUSED (Rank not
Known) in Crl OP(MD)No.16229/16

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
MUNNIRPALLAM POLICE STATION,
TIRUNELVELI DISTRICT
(Crime No.216 of 2016)

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S.R.ANAND Advocate in both the petitions

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)
in both the petitions

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners are arrayed as Accused, who were arrested and remanded to judicial custody on 16.07.2016 for the alleged offences punishable under Sections 457 and 380 IPC, in Crime No.216 of 2016, on the file of the respondent police and hence, seek bail.

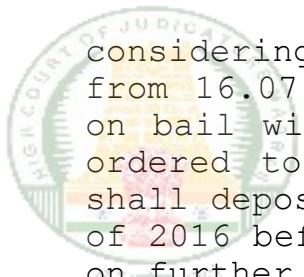
2.The case of the prosecution is that the petitioners entered into the defacto complainant's College and stolen a sum of Rs.1,878/- from the office. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The petitioners are in judicial custody from 16.07.2016.

4.The learned counsel for the petitioners submitted that the petitioners are willing to deposit a sum of Rs.1,000/- each to the credit of Crime No.216 of 2016 before the learned Judicial Magistrate No.V, Tirunelveli.

5.The learned Government Advocate (Crl. side) submitted that investigation is pending.

6.Considering the facts and circumstances of the case and also



considering the fact that the petitioners are in judicial custody from 16.07.2016, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail on condition that the petitioners shall deposit a sum of Rs.1,000/- each to the credit of Crime No.216 of 2016 before the learned Judicial Magistrate No.V, Tirunelveli and on further conditions that:

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(i) Each of the petitioners 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.V, Tirunelveli.

(ii) the petitioners shall report before the respondent police daily at 10.00 a.m. until further orders.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioners 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 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]**.

7.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/-

31/08/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE, MUNNIRPALLAM POLICE STATION,
TIRUNELVELI DISTRICT
- 4 THE SUPERINDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+2. CC to M/S.R.ANAND Advocate SR.No.48845, 48848

ORDER

IN

CRL OP(MD) No.16194 & 16229 of 2016

Date :31/08/2016