



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

Monday, the Fifth day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.22980 of 2016

LAWRANCE

... PETITIONER /5TH ACCUSED

Vs

THE STATE, BY
THE INSPECTOR OF POLICE
MUKKUDAL POLICE STATION,
TIRUNELVELI DISTRICT
CRIME NO.144 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.VENKATESH Advocate

For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 16.11.2016, for the offences punishable under Sections 457, & 380(NH) of IPC., @ 457, 380 and 414 of IPC., in Crime No.144 of 2015, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the 5th accused and he was arrested based on the confession given by A1. The co-accused are in judicial custody.

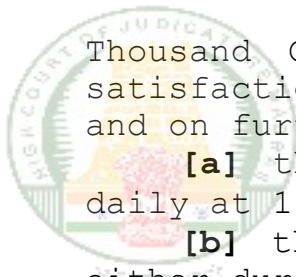
3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (crl.side) submitted that the petitioner is the 5th accused and he was arrested based on the confession given by A1. The co-accused are in judicial custody. He would further submit that the stolen property has been recovered.

5. Considering the facts and circumstances of the case, I am inclined to grant bail to the petitioner subject to certain conditions.

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

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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, Cheranmahadevi, and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10 a.m., until further orders, for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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]**.

sd/-

05/12/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI
- 2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE
MUKKUDAL POLICE STATION, TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 5 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI

+1. CC to M/S.D.VENKATESH Advocate SR.No.79187

GJM/GSV/PM/SAR-I-5.12.16-2P-7C

ORDER

IN

CRL OP (MD) No.22980 of 2016

Date : 05/12/2016