



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

Thursday, the Twenty Second day of December Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.23770 of 2016

MANIKANDAN @ PULIKUTTI MANI

..PETITIONER/ACCUSED No.2

Vs.

STATE REP.BY

THE INSPECTOR OF POLICE,
ANNANAGAR POLICE STATION,
MADURAI CITY.

(CRIME NO.2596 OF 2016)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.JEGADEESH PANDIAN Advocate

For Respondent : Mr.P.KANDASAMY, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.2, was arrested on 27.10.2016 for the offences punishable under Section 399 of I.P.C., in Crime No.2596 of 2016 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner states that the petitioner herein is A2 in this case and the remaining accused are released on bail and this petitioner along with the other accused went to Ramanathapuram to brought A1 in front of the jail and all of them were taken into custody illegally by the police.

3.The learned Government Advocate (Crl.side) appearing for the respondent states that there are totally six accused in this case and the petitioner herein is A2 and the co-accused viz., A1, A3 and A4 were ordered to be released on bail by the concerned Judicial Magistrate and A5 and A6 were already released on bail by this Court and the investigation is still pending. He further states that all the accused are prepared to commit the offence of decoity with weapons and the petitioner was arrested on 27.10.2016 and he is in custody.

4. Considering the facts and circumstances of the case and also considering the fact that the co-accused were already released on bail and also the period of incarceration in jail, this Court is inclined to grant bail to the petitioner. Accordingly, **the petitioner is ordered to be released on bail** subject to the following conditions:

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

(1) 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.VI, Madurai.

(ii) the petitioner is directed to appear before the learned Judicial Magistrate No.VI, Madurai daily at 10.30 a.m. until further orders;

(iii) the petitioner shall not tamper with the 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 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 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/-

22/12/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI.

2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

4 THE INSPECTOR OF POLICE, ANNANAGAR POLICE STATION, MADURAI CITY.

5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.82833

ORDER IN

CRL OP(MD) No.23770 of 2016

Date : 22/12/2016

PBK/EM/SAR-I 22/12/2016 :: 2P-7C: