



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

Thursday, the Nineteenth day of May Two Thousand and Sixteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.8028 of 2016

KUMAR

... PETITIONER/ ACCUSED No.9

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
PROHIBITION OF ENFORCEMENT WING,
TIRUVERUMBUR POLICE STATION,
TRICHY DISTRICT

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S M.SANKAR Advocate

For Respondent : Mrs.S.PRABHA, Government 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 01.03.2016, for the offences punishable under Sections 4 (1) (a) r/w 4(1-A), 5, 7, 12 of TNP Act, 5 & 6 Rules and 409, 420, 465, 468, 471, 482, 486 and 488 of I.P.C. in Crime No.148 of 2016, on the file of the respondent Police, seeks bail.

2. Heard the learned counsel appearing for the petitioner / Accused and the learned Government Advocate (Criminal Side) appearing for the State.

3. The learned counsel for the petitioner submitted that this petitioner has been arrayed A-9 in this case. He further submitted that the petitioner is innocent and he has not committed any offence. He further submitted that the petitioner has been in judicial custody for more than 75 days.

4. The learned Government Advocate (Criminal Side) appearing for the State submitted that investigation is pending. She also submitted that A-6 and A-11 in this case were already granted bail and they are awaiting forensic report.

5. Taking into consideration the nature of allegations made against the petitioner / Accused and the period of incarceration, this Court is of the view that this is a fit case to grant bail to the petitioner / Accused. Accordingly, he is ordered to be released on bail, subject to the following stringent conditions:

(i) the petitioner / Accused 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, Lalgudi, Trichy.

(ii) the petitioner / Accused shall report before the respondent Police Station daily twice i.e at 10.00 a.m and 05.00 p.m Until further orders.-

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

(iv) the petitioner / Accused 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 / Accused in accordance with law as if the conditions have been imposed and the petitioner / Accused 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/-

19/05/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, LALGUDI, TRICHY

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT

3 THE SUPERINTENDENT, CENTRAL JAIL, TRICHY.

4 THE INSPECTOR OF POLICE,
PROHIBITION OF ENFORCEMENT WING,
TIRUVERUMBUR POLICE STATION, TRICHY DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.SANKAR, Advocate SR.No.26438

ORDER IN

CRL OP(MD) No.8028 of 2016

Date :19/05/2016

vs/pmu

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

SH/DP/SAR-11:20:05.2016:2P/7C