



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

Thursday, the Sixteenth day of June Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.9417 of 2016

SABARI @ SABARIRAJ

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY
THE INSPECTOR OF POLICE
PALAYANOOR POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.34 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S A.THIRUVADI KUMAR, Advocate
For Respondent : M/S.P.KANNITHEVAN,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, in Crime No.34 of 2016 on the file of the respondent police, was arrested and remanded to judicial custody on 12.04.2016 for the alleged offences punishable under Sections 392 of IPC r/w. 397 and 506(ii) of IPC and hence, seeks bail.

2. The case of the prosecution is that while the defacto complainant was going to his work, the petitioner waylaid the defacto complainant and demanded money, when the defacto complainant refused to give money he took his Wrist Watch and Rs.1,000/- at knife point. On complaint, a case has been registered against the petitioner for the above said offences.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that as a preventive measure, due to the general election, he was arrested and a false case has been foisted against him.

4. The learned Government Advocate (Crl. Side) submitted that already the petitioner filed two petitions for bail and the same have been dismissed by this Court on 20.05.2016 and 25.05.2016



respectively and there is no change of circumstances and the investigation is pending. He further submitted that the petitioner is a habitual offender and he is having two previous cases for the offences under Sections 302 and 307 of IPC. If the petitioner is released on bail he will tamper the evidence and hamper the investigation and prayed for dismissal of this petition.

5. Considering the fact that the petitioner is in judicial custody from 12.04.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. 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, Manamadurai and on further condition that the petitioner shall appear before the respondent Police daily at 10.00 am and 5.00 pm until further orders.

sd/-

16/06/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, MANAMADURAI
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, MADURAI
5. THE INSPECTOR OF POLICE
PALAYANOOR POLICE STATION, SIVAGANGAI DISTRICT.

+1. CC to M/S A. THIRUVADI KUMAR Advocate SR.No.30892
RL/7C/2P/GSV/PM/SARII/16/6/2016

ORDER

IN

CRL OP(MD) No.9417 of 2016

Date : 16/06/2016