



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

Thursday, the Thirtieth day of June Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.9990 of 2016

DHARMA @ DHARMARAJ

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ANNANAGAR POLICE STATION, MADURAI CITY.
(CRIME NO.1385/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S T.LENIN 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 is arrayed as sole accused, who was arrested and remanded to judicial custody on 19.05.2016 for the alleged offences punishable under Sections 392 read with 397 and 506(ii) IPC, in Crime No.1385 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 19.05.2016, the petitioner threatened the de facto complainant at knife point and snatched away Rs.1,000/- from him. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. At no point of time, the petitioner indulged in such act. Even as per the prosecution, the alleged sum of Rs.1,000/- was recovered from the petitioner. The petitioner is in judicial custody from 19.05.2016.

4.The learned Government Advocate (Crl. side) submitted that the petitioner is having three previous cases of similar nature and investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 19.05.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:



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- (i) 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 shall report before the respondent police daily twice i.e., at 10.00 a.m. and 05.00 p.m. until further orders.
- (iii) the petitioner shall not tamper with 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 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]**.

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/-
30/06/2016

/ 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 THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT
- 3.THE ADDITIONAL 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 T.LENIN KUMAR Advocate SR.No.34159
RL/7C/2P/GSV/PM/SARII/30/6/2016

ORDER
IN
CRL OP(MD) No.9990 of 2016
Date :30/06/2016