

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Sixth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice N. AUTHINATHAN

CRIMINAL ORIGINAL PETITION No.26455 of 2017

1 P.RAJESH [PETITIONERS / ACCUSED]
2 R.MANI
3 P.MURUGESH
4 KIDUKKI GANESH @ P.GANESH

Vs

STATE REP. BY [RESPONDENT]
THE INSPECTOR OF POLICE,
TIRUPPUR RURAL CRIME POLICE STATION,
TIRUPPUR.
CR.NO.587 OF 2004.

For Petitioner : M/S.S.SARAVANAKUMAR Advocate

For Respondent : MR. B.RAMESH BABU, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners seek bail under Section 439 Cr.P.C. for the alleged offences under Section 397 of IPC.

2. Heard both sides.

3. According to the prosecution, totally there are eight accused. These petitioners/A2 to A5 are alleged to have assaulted the security guard of the school and robbed a sum of Rs.50,000/- from the Principal Room and two Hero Honda Motor Cycles and escaped to Mumbai. They were arrested on 27.09.2017.

4. The learned counsel for the petitioners would submit that these petitioners are residents of Tamilnadu and only for their livelihood, they went to Mumbai. They have been falsely implicated in this case and that they have not committed any such offence as alleged by the prosecution and that they have been in custody from 27.09.2017. Therefore, he prayed grant of bail to the petitioners. He further submitted that co-accused were released on bail and they are ready and willing to furnish local sureties.

5. The learned Government Advocate (Crl. Side) would submit that these petitioners were untraceable for a number of years and only on 27.09.2017, they were arrested for the above said offence

and charge sheet is also filed. He opposed for grant of bail to these petitioners.

6. Having regard to the fact that the petitioners have been in custody since 27.09.2017 and that co-accused were released on bail and they are ready to furnish local sureties and that they were not involved in any previous case, this Court is inclined to grant bail to the petitioners subject to the following conditions.

7. (i) Bail is granted.

(ii) Petitioners are ordered to be released on bail on their executing a bond for Rs.10,000/- each, with two local sureties each for the likesum to the satisfaction of the learned Judicial Magistrate No.IV, Tiruppur.

(iii) Petitioners shall report before respondent police once in a week i.e., on every Monday at 10.30 a.m., until further orders.

-sd/-
06/12/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.IV, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
TIRUPPUR RURAL CRIME POLICE STATION,
TIRUPPUR.

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

+1CC to M/S.S.SARAVANAKUMAR Advocate on payment of necessary charges SR NO.86482

CRL OP.26455/2017

Date :06/12/2017

MK:06/12/2017