



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

Monday, the Seventh day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10316 of 2017

VAIYAPURI @ SATHISHKUMAR @
VAIYAPURAI SATHISH,

... PETITIONER / SOLE ACCUSED

Vs

State rep.by
THE INSPECTOR OF POLICE,
MATHICHAYAM POLICE STATION,
MADURAI DISTRICT,
IN CR.NO.493/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU Advocate

For Respondent : Mr.A.Ramar, Additional Public Prosecutor

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

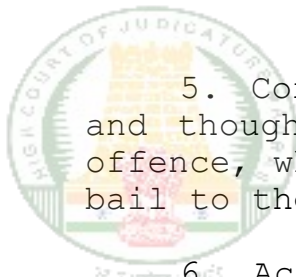
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 11.07.2017, for the offences punishable under Sections 392 r/w 397 and 506(ii) of IPC., in Crime No.493 of 2017, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the sole accused in this case and he said to have committed the offence of robbery of Rs.150/- and also a watch from the defacto complainant, at the knife point and latter, the watch alone was recovered.

3. The learned counsel appearing for the petitioner states that the petitioner has not involved any offence, as alleged by the defacto complainant and it is a put up case for statistical purpose and he is an innocent.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that the petitioner is the sole accused in this case and he is said to have committed the offence of robbery of Rs.150/- and also a watch from the defacto complainant, at the knife point and latter, the watch alone was recovered. The petitioner is having one previous case of similar type of offence in Crime No.1570 of 2014, under Sections 395 r/w 397 and 506(ii) of IPC., which is pending trial and one 307 IPC., offence case in Crime No.312 of 2017 and the investigation is pending.



5. Considering the above facts and circumstances of the case and though the petitioner is having one previous case of similar offence, which is of the year 2014, this Court is inclined to grant bail to the petitioner subject to certain conditions.

6. 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 No.II, Madurai, and on further condition that:

[a] the petitioner shall report before the learned Judicial Magistrate No.II, Madurai, daily at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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]**.

sd/-
07/08/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, MADURAI
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 4 THE INSPECTOR OF POLICE,
MATHICHAYAM POLICE STATION, MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.SUBASH BABU Advocate SR.No.28211

ORDER
IN
CRL OP(MD) No.10316 of 2017
Date :07/08/2017