



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

Tuesday, the Twenty Ninth day of August Two Thousand Seventeen

PRESENT

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

WEB COPY

CRL OP(MD) No.11346 of 2017

MANI @ MANIRAJ

... PETITIONER/ ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
K.PUDUR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.836 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.P.PRABAKARAN Advocate

For Respondent : M/S.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 20.06.2017 for the offences punishable under Sections 301, 392, 397 and 506 (ii) of IPC in Crime No.836 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused were said to have threatened the complainant with knife point and has taken away the cell phone from the de-facto complainant and the said cell phone was recovered from A-1. A-1 is having two previous cases, one among is similar type of offences. Investigation is still pending. Earlier bail application moved on behalf of the petitioner in Crl.OP(MD). Nos.8861 of 2017 and 10572 of 2017 were dismissed by this Court as per order dated 24.07.2017 and 10.08.2017 respectively. The petitioner was arrested and remanded to custody on 20.06.2017 and is now in custody.

3.The learned counsel appearing for the petitioner states that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. The present bail application is the third application seeking bail by the petitioner herein. He also submitted that this Court may grant bail in favour of the petitioner herein, by imposing any stringent conditions.



accused in this case. The petitioner herein is A-1 and A-2 was arrested and released on bail on the concerned Sessions Court.

5. Considering the above facts and circumstances of the case and also considering the fact the petitioner is in custody from 20.06.2017 and also the cell phone has been recovered in this case, and the release of the co-accused in this case, 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 Judicial Magistrate No.VI, Madurai and on further condition that:

[a] the petitioner shall report before the learned Judicial Magistrate No.VI, Madurai, daily at 10.30 a.m. and 5.30 pm in all working days, 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/-
29/08/2017

/ 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.
3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE
K.PUDUR POLICE STATION, MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.P.PRABAKARAN Advocate SR.No.29415

ORDER IN
CRL OP(MD) No.11346 of 2017
Date :29/08/2017