



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

Thursday, the Thirty First day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.11546 of 2017

1 BABU
2 SARAVANAN
3 VINOTH
4 KARTHICK

... PETITIONERS / ACCUSED NOS.3 to 6

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
KALAYARKOVIL POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.334/2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.KARTHICK SUBRAMANIAN Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

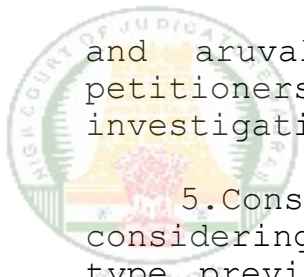
ORDER : The Court Made the following order :-

The petitioner / A3 to A6, who were arrested on 10.08.2017 for the offences punishable under Sections 399 of IPC in Crime No.334 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on the date of occurrence, the petitioners along with other accused were preparing to commit robbery. The petitioners were having deadly weapons and wooden log.

3.The learned counsel for the petitioner would submit that the petitioners are an innocent person and they have been falsely implicated in this case. He would further submit that the petitioners did not involve any offence as alleged by the prosecution and the respondent Police foisted this false case against them only for statistical purpose.

4.The learned Additional Public Prosecutor would submit on instructions that totally there are 6 accused in this case and the petitioners herein are arrayed as A3 to A6 respectively. He further submitted that petitioners were arrested and remanded to custody on 10.08.2017 and A1 & A2 are still absconding. He also submitted that a pulsar bike from A4 and a Hero Splender bike from A5 and woodenlog



and aruval were recovered. He further submitted that the petitioners are not having any similar type of previous case and the investigation is still pending.

5. Considering the facts and circumstances of the case and considering the fact that petitioners are not having any similar type previous case, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:

(i) the petitioners 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.I, Sivagangai.

(ii) the petitioners are directed to appear before the learned Judicial Magistrate No.I, Sivagangai daily twice at morning 10.30 a.m and evening 5.30 p.m, until further orders.

(iii) the petitioners shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the 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/-

31/08/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 OFFICER IN CHARGE, SUB JAIL, SIVAGANGAI.
- 4 THE INSPECTOR OF POLICE,
KALAYARKOVIL POLICE STATION, SIVAGANGAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.KARTHICK SUBRAMANIAN Advocate SR.No.29658

ORDER

IN

CRL OP (MD) No.11546 of 2017

Date : 31/08/2017