



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

Friday, the Eighth day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.11899 of 2017

1 KARTHICK @ VIGNESH @ IDLI KARTHICK
2 KARTHICK @ VALUKKAI KARTHICK
3 KARTHICK

... PETITIONERS / ACCUSED NO.1 to 3

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THALLAKULAM POLICE STATION, MADURAI DISTRICT.
CRIME NO. 1430 OF 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.

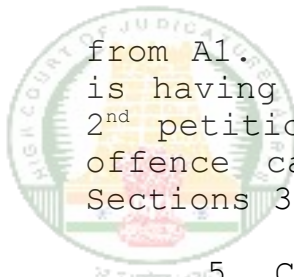
ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 18.07.2017, for the offences punishable under Sections 392 r/w 397 and 506(ii) of IPC., in Crime No. 1430 of 2017, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners herein said to have waylaid the defacto complainant and A1 threatened him with knife point; A2 said to have taken away a sum of Rs.1500/- from the defacto complainant and A3 said to have caught hold the defacto complainant, at the time of occurrence and no injury is caused.

3. The learned counsel appearing for the petitioner states that the petitioners are innocent and they have not committed any offences, as alleged by the respondent Police. He also submitted that the petitioners may be released on bail by imposing any stringent conditions, as this Court deems it fit.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally 3 named accused in this case, who are the petitioners herein, arrayed as A1 to A3. The earlier bail application moved on behalf of the petitioner in Cr1.O.P(MD)No.10668 of 2017 was dismissed by this Court on 11.08.2017. A sum of Rs.500/- and a knife were recovered



from A1. The investigation is still pending. The first petitioner is having 13 previous cases, including two 302 IPC., offences; the 2nd petitioner is having 13 previous cases including one 302 IPC., offence cases. The petitioners are having previous case under Sections 387, 392 r/w 397 of IPC., offences.

5. Considering the above facts and circumstances of the case and also considering the period of incarceration of the petitioners in jail from 18.07.2017 onwards, this Court is inclined to grant bail to the petitioners subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each 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 petitioners shall stay at Tiruchirappalli and to report before the learned Judicial Magistrate No.I, Tiruchirappalli, daily at 10.30 a.m., until further orders.

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

[c] the petitioners shall not abscond either during investigation or trial and the petitioners shall co-operate with the investigation by the respondent police.

[d] On breach of any of the aforesaid conditions, the learned 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 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/-

08/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
 - 3 THE JUDICIAL MAGISTRATE NO.I, TIRUCHIRAPPALLI.
 - 4 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.
 - 5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 - 6 THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION, MADURAI DISTRICT.
 - 7 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.M.SUBASH BABU Advocate SR.No.30364

ORDER IN

CRL OP(MD) No.11899 of 2017

Date :08/09/2017