



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

Tuesday, the Seventh day of February Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED
CRL OP (MD) No.1318 of 2017

RAVI @ CHEVUKALAI RAVI,

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY

THE INSPECTOR OF POLICE, ERANIEL POLICE STATION,
KANYAKUMARI DISTRICT.

(CRIME NO.768 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.BALAKRISHNAN, Advocate

For Respondent :Mr.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

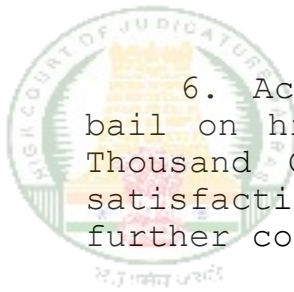
The petitioner, who was arrested and remanded to judicial custody on 05.12.2016, for the offences punishable under Section 399 of IPC., in Crime No.768 of 2016, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused joined together and preparing to commit the offence of dacoity.

3. The learned counsel appearing for the petitioner states that the petitioner has not committed any offence, as alleged by the prosecution and in fact, the petitioner was taken by the police from his house and not from Thinkal Nagar and only for statistical purpose, the case was registered against the petitioner and the petitioner was arrested as a precautionary measure on account of December, 6.

4. The learned Government Advocate (crl.side) appearing for the respondent states that there are totally five accused in this case and the petitioner herein is A1 and he was arrested and remanded to judicial custody on 05.12.2016. He would further submit that A2 to A4 were granted bail by the jurisdictional Court and A5 is still absconding and the investigation is pending.

5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner in jail from 05.12.2016 onwards, 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, Eraniel, and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 a.m., until further orders, for interrogation.

[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/-
07/02/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, ERANIEL.

2. DO-THROUGH CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.

3. THE OFFICER IN CHARGE,
DISTRICT JAIL, NAGERCOIL.

4. THE INSPECTOR OF POLICE,
ERANIEL POLICE STATION,
KANYAKUMARI DISTRICT.

5. ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.P.NARAYANA KUMAR Advocate SR.No.6670

MPK
MS/RSK/7.2.2017/2P.7C