



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

Thursday, the Ninth day of February Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.1454 of 2017

PALANISAMY

... PETITIONER / 2nd ACCUSED

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ARAVAKURICHI POLICE STATION, KARUR DISTRICT

(CRIME NO. 22 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.VINOD SATHYA LAZAR Advocate

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

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

ORDER : The Court Made the following order :-

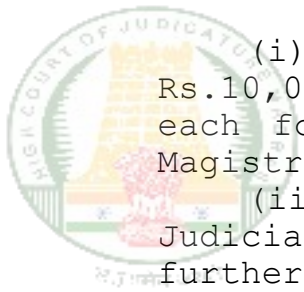
The petitioner / A2, who was arrested on 12.01.2017 for the offences punishable under Section 397 IPC in Crime No.22 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused robbed a sum of Rs.200/- and also half sovereign of gold ring from the de facto complainant at knife point.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate(Crl. Side) submitted that totally there are two accused and the petitioner is arrayed as A2 and no previous case is pending against this petitioner and property was recovered.

5.Considering the facts and circumstances of the case and considering the fact that property was recovered, this Court is inclined to grant bail to the petitioner. Accordingly, **the petitioner is ordered to be released on bail** subject to the



(i) the petitioner 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 Judicial Magistrate No.2, Karur;

(ii) the petitioner is directed to appear before the Judicial Magistrate No.2, Karur daily at 10.30 a.m. until further orders;

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

(iv) the petitioner 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 petitioner 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/-
09/02/2017

/ TRUE COPY /

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

TO

1 JUDICIAL MAGISTRATE No.2, KARUR.

2 CHIEF JUDICIAL MAGISTRATE,
KARUR

3 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH

4 THE INSPECTOR OF POLICE
ARAVAKURICHI POLICE STATION, KARUR DISTRICT

5 SUPERINTENDENT
CENTRAL PRISON TRICHY.

+1. CC to M/S.S.VINOD SATHYA LAZAR Advocate SR.No.7349

ORDER
IN
CRL OP(MD) No.1454 of 2017
Date : 09/02/2017

KK-RSK-SAR.1-9.2.2017-2P-7C