



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

Monday, the Thirtieth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14573 of 2017

ESAKKIPANDI @ CITIZEN ... PETITIONER / ACCUSED NO.1
Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
MUKKUDAL POLICE STATION,
TIRUNELVELI.
(CR.NO.230 OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.PALANIVEL Advocate

For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.1, who was arrested and remanded to judicial custody on 18.09.2017 for the alleged offences punishable under Section 379 of IPC., in Crime No.230 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners along with another accused stolen the goat from the defacto complainant house. Aggrieved by the same, the defacto complainant lodged a complaint before the respondent police.

3. The learned counsel appearing for the petitioner submitted that the petitioner did not commit any offence as alleged by the prosecution. However, the alleged theft of goat was recovered by the respondent police and the same was handed over to the defacto complainant.

4.The learned Government Advocate (Criminal side) appearing for the state did not dispute the facts stated by the learned counsel for the petitioner.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side), that he did not dispute the facts, I am inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:



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(i) the petitioner shall deposit a sum of Rs.2,000/- (Rupees two thousand only) to the credit of Crime No.230 of 2017 before the learned Judicial Magistrate, Cheranmadevi, Tirunelveli, without prejudice to his defence before the trial Court.

(ii) the petitioner shall report before the respondent police daily at 10.00 a.m, for a period of two weeks;

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

(iv) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioner shall not commit any offence while on bail;

(vi) 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 and the bail granted stands cancelled automatically.

sd/-
30/10/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, CHERANMADEVI, TIRUNELVELI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
3. THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI.
4. THE INSPECTOR OF POLICE, MUKKUDAL POLICE STATION, TIRUNELVELI.
5. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.PALANIVEL Advocate SR.No.33448

ORDER
IN
CRL OP(MD) No.14573 of 2017
Date :30/10/2017

MS/CM-MSA/SAR.3/30.10.2017/2P.7C