



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

Thursday, the Second day of November Two Thousand Seventeen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14813 of 2017

MUTHUVEL PANDI

... PETITIONER/ACCUSED No.1

Vs

STATE REP BY
THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION,
MADURAI DISTRICT
(CRIME NO. 1474 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.PITCHAI MUTHU Advocate

For Respondent : MR.K.ANBARASAN, Govt. 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 27.08.2017 by the respondent police for the offences punishable under Sections 448 and 392 of I.P.C., in Crime No.1474 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that petitioner is the tenant of the defacto complainant. There was tenancy dispute between the petitioner and defacto complainant. In order to wreck vengeance, the petitioner and the co-accused robbed 7 sovereign of gold from the defacto complainant's house. Aggrieved by the same, the defacto complainant lodged a complaint before the respondent police against the petitioner.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offences as alleged by the prosecution. He further submitted that in order to settle private dispute, the defacto complainant had lodged a complaint against the petitioner before the respondent police.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that investigation has been completed and the property has been recovered from the petitioner and co-accused.



5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal Side), I am inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

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(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like-sum to the satisfaction of the learned Judicial Magistrate No.VI, Madurai;

(ii) the petitioner shall report before the respondent police, daily at 10.30 a.m., until further orders;

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

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

(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 petitioner in accordance with law and the bail granted stands cancelled automatically.

sd/-

02/11/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE
AVANIYAPURAM POLICE STATION, MADURAI DISTRICT
- 4 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.PITCHAI MUTHU Advocate SR.No.33688

ORDER

IN

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Date :02/11/2017