



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

Monday, the Thirtieth day of January Two Thousand Seventeen

PRESENT

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

CRL OP (MD) No.627 of 2017

RASAIHA @ MANIKANDAN

... PETITIONER/ ACCUSED No.2

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
MANAMADURAI,
SIVAGANGAI DISTRICT,
(CRIME NO.217 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.P.CHELLAPANDIAN, 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 16.12.2016 for the offences punishable under Sections 392, 397 and 506(ii) IPC in Crime No.217 of 2016 on the file of the respondent police, seeks bail.

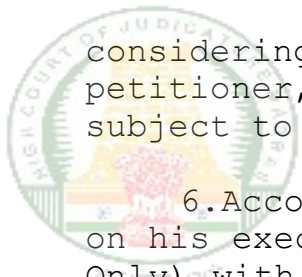
2.The case of the prosecution is that on 16.12.2016, the petitioner along with other accused threatened the de facto complainant and robbed Rs.800/- at knife point.

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

4.The learned Government Advocate (crl.side) appearing for the respondent submitted that totally there are 3 accused in this case and the petitioner is arrayed as A2 in this case and all the accused were arrested and A3 was enlarged on bail by this Court in Crl.O.P. (MD)No.432 of 2017 on 12.01.2017. He further submitted that there is no antecedent against this petitioner and a sum of Rs.420 alone was recovered from A1.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the facts and circumstances of the case and also



considering the fact that there is no bad antecedent against the petitioner, 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, Manamadurai, and on further condition that:

[a] the petitioner shall report before the Judicial Magistrate, Manamadurai, daily at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness during trial.

[c] the petitioner shall not abscond during 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/-
30/01/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, MANAMADURAI, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.

3 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
MANAMADURAI, SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE SUPERINTENDENT , CENTRAL PRISON, MADURAI.

+1. CC to M/S.N.ADITHYA VIJAYALAYAN Advocate SR.No.4805
NBJ

CSL/SS-3/SAR-II/30.01.2017 :2P/7C

ORDER
IN
CRL OP(MD) No.627 of 2017
Date :30/01/2017