



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

Thursday, the Twenty Ninth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.8031 of 2017

C.MANIKANDAN

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE, (L&O),
C4, THILAGAR THIDAL POLICE STATION, MADURAI
IN CRIME NO.535/17.

... RESPONDENT

For Petitioner : M/S.C.S.RAVICHANDRAN Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

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

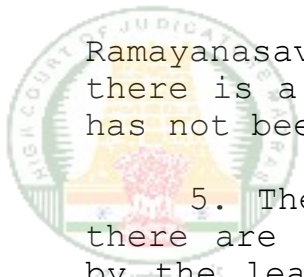
ORDER : The Court Made the following order :-

The petitioner/accused was arrested and remanded to judicial custody on 22.05.2017 for the offences punishable under Sections 392 r/w. 397 and 506(ii) of I.P.C., in Crime No.535 of 2017 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that the de-facto complainant is an auto driver and when he was waiting for his customer, the petitioner along with other accused robbed a sum of Rs.2,000/- from the de-facto complainant at knife point.

4. The learned counsel for the petitioner would submit that the alleged F.I.R. has been foisted against the petitioner with a view to revenge the petitioner for his complaint against the respondent before his hierarchy in respect of mamul demanded by them and asked the details under RTI Act. He would further submit that the petitioner has also filed a petition for not to harass before this Court in Crl.O.P.(MD).No.7758 of 2013 and also got a direction against the respondent. He also submit that the respondent are registering cases one after another and the learned counsel for the petitioner has also produced the details obtained under the RTI Act, where the petitioner has sought for information relating to shutting of business establishments from the Vadakkumasi Veethi,



Ramayanasavadi Auto Stand Area, Madurai on 22.05.2017, for which there is a reply from the Control Room stating that any information has not been received.

5. The learned Additional Public Prosecutor would submit that there are four previous cases against the petitioner. It is stated by the learned counsel for the petitioner that the petitioner was acquitted in all the pervious cases.

6. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

(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 learned Judicial Magistrate No.II, Madurai;

(ii) the petitioner shall report before the learned Judicial Magistrate No.II, Madurai daily at 10.30 a.m. until further orders;

(iii) The petitioner shall not abscond either during investigation or trial;

(iv) 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.

sd/-

29/06/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI
- 4 THE INSPECTOR OF POLICE, (L&O),
C4, THILAGAR THIDAL POLICE STATION MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.S.RAVICHANDRAN Advocate SR.No.25402

ORDER

IN

CRL OP(MD) No.8031 of 2017

Date :29/06/2017