



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

Tuesday, the Fourth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.8321 of 2017

SAKTHIVEL

... PETITIONER/2nd ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION,
MADURAI,
CRIME NO.663 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

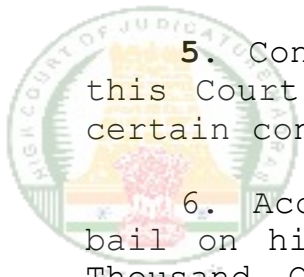
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 08.06.2017, for the offences punishable under Sections 392 r/w 397 and 506(ii) of IPC., in Crime No.663 of 2017, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused in this case, on the date of occurrence, by showing aruval taken away a sum of Rs.230/- from the defacto complainant and the said amount was also recovered.

3. The learned counsel appearing for the petitioner states that the accused in this case are friends and they are coolie workers. He would further submit that the petitioner is no way connected with the offence and he is an innocent and he is not having any previous case for similar type of offence.

4. The learned Additional Public Prosecutor appearing for the respondent states that there are totally two accused in this case and the petitioner herein is arrayed as A2. A1 was also arrested and is in custody. The petitioner herein was arrested on 08.06.2017. It is also admitted that the petitioner has not committed any similar type of offence prior to this offence and the investigation was completed and final report is to be laid.



5. Considering the above facts and circumstances of the case, 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 No.I, Madurai, and on further condition that:

[a] the petitioner shall report before the learned Judicial Magistrate No.I, Madurai, daily at 10.30 a.m., until further orders.

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

[c] the petitioner shall not abscond either during investigation or 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/-

04/07/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.

2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION, MADURAI.

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

5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S.S.MUNIYANDI Advocate SR.No.25803

ORDER

IN

CRL OP(MD) No.8321 of 2017

Date : 04/07/2017