



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

Friday, the Twenty Seventh day of April Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.7171 of 2018

PETHU MUNIYANDI @ PETHU

... PETITIONER / ACCUSED No.2

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
SAPTUR POLICE STATION, MADURAI DISTRICT.
(CR.NO.9/2017) .

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.L.PRAVEEN KUMAR Advocate

For Respondent : M/S. A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as Accused No.2. He was arrested and remanded to judicial custody on 21.03.2018 for the offences under Sections 406,420 and 506 (i) of I.P.C. in Crime No.9 of 2017 on the file of the respondent police. He seeks bail.

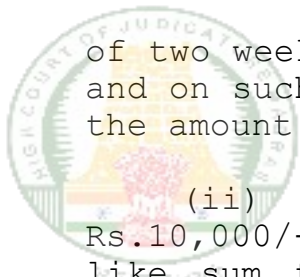
2.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person he has not committed any offence as alleged by the prosecution and prays for bail in favour of the petitioner.

3. Learned counsel for the petitioner submitted that the petitioner undertakes to deposit a sum of Rs.1,00,000/- (Rupees One Lakhs only) within two weeks after coming out of bail. If this condition is breached, this Order would stand cancelled automatically and the respondent shall recommit the petitioner to judicial custody. The defacto complainant would be entitled to withdraw the amount deposited by the petitioner to the credit of Crime No.9 of 2017 before the jurisdictional Magistrate concerned.

4. Recording the submissions made by the learned counsel for the petitioner, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

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

(1) the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of Crime No.9 of 2017, within a period



of two weeks, before the learned Jurisdictional Magistrate concerned and on such deposit, the defacto complainant is entitled to withdraw the amount deposited by the petitioner.

(ii) 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 District Munsif Cum Judicial Magistrate, Peraiyur.

(iii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(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 himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

sd/-
27/04/2018

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PERAIYUR, MADURAI DISTRICT.
 - 2 DO THOUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
 - 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
 - 4 THE INSPECTOR OF POLICE,
SAPTUR POLICE STATION, MADURAI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.L.PRAVEEN KUMAR Advocate SR.No.7618.

ORDER
IN
CRL OP(MD) No.7171 of 2018
Date :27/04/2018