



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

Monday, the Tenth day of December Two Thousand and Eighteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21757 of 2018

PURA ARUN @ ARUNKUMAR ... PETITIONER(S) / ACCUSED NO.3

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT. (CR.NO.141/2018) ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.M.KARUNAKARAN Advocate

For Respondent : M/S.K.SUYAMBULINGA BHARATHI,
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 by the respondent police on 20.09.2018, for the offences punishable under Section 399 of IPC in Crime No.141 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and others have made an attempt to commit dacoity.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent and he has not committed any offence, as alleged by the prosecution.

4. The learned Government Advocate (crl.side) appearing for the respondent, on instructions, would submit that there are three previous cases pending against the petitioner and he is a history sheeter in H.S.No.711 of 2017 and he was granted bail in one of the



5. Considering the above facts and circumstances of the case and also considering the period of incarceration , this Court is inclined to grant bail to the petitioner, with certain conditions.

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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 , Pattukottai, Thanjavur District and on further condition that:

[a] the petitioner shall appear before respondent police 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].

[e] If the accused thereafter absconds, a fresh FIR Can be registered under Section 229 A IPC.

sd/-
10/12/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, PATTUKOTTAI,
THANJAVUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR

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

3 THE SUPERINTENDENT,
CENTRAL PRISION, TRICHY



4 THE INSPECTOR OF POLICE
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.

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

+1. CC to M/S.K.M.KARUNAKARAN Advocate SR.No.22946

ORDER

IN

CRL OP (MD) No.21757 of 2018

Date :10/12/2018

AAV

KK/MS/AC/SAR-/10.12.2018/3P-7C