



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

Wednesday, the Thirteenth day of June Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.9554 of 2018

D.ABAYA BASKAR

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
GANDHI MARKET POLICE STATION,
TRICHY. (CRIME No.259 of 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MALAIKANI Advocate

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

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

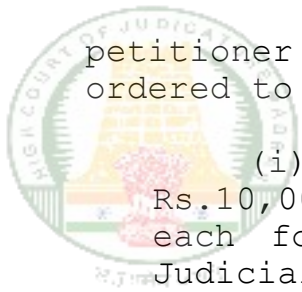
ORDER : The Court Made the following order :-

The petitioner is the sole accused. He was arrested and remanded to judicial custody on 08.05.2018 for the offences punishable under Sections 392 r/w 397 of IPC in Crime No. 259 of 2018, on the file of the respondent police. He seeks bail.

2.The petitioner is in custody since 08.05.2018 for offences under Sections 392 r/w 397 of IPC. When the matter was taken up for hearing, the learned Government Advocate pointed out that there are as many as 15 previous cases.

3. This Court wanted the learned Government Advocate to give a signed statement. When the list was seen, this Court was surprised to note that the petitioner has been acquitted in all the 15 cases. Therefore this Court also went through the contents of the present First Information Report. The allegations against the petitioner is that he extorted a sum of Rs.950/- from the defacto complainant at knife point. The First Information Report does not inspire the confidence of this Court. It appears to have been put up.

4.Taking note of the fact that the petitioner is in custody since 08.05.2018, this Court is inclined to grant bail to the



petitioner with certain conditions. 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.V, Trichy.

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

(iii) 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/-
13/06/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.V,
TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE,
GANDHI MARKET POLICE STATION,
TRICHY .
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.S.MALAIKANI Advocate SR.No.10255.

ORDER
IN
CRL OP(MD) No.9554 of 2018
Date :13/06/2018