



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

Thursday, the Thirteenth day of December Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22021 of 2018

DHAYANITHI

... PETITIONER / ACCUSED No.6

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PERAVURANI POLICE STATION,
THANJAVUR.
Crime No.137 of 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.V.RAJIV RUFUS Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 25.09.2018 for the offence punishable under Section 341, 342, 364(A), 392, 397, 506(ii), 34 I.P.C, in Crime No.137 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused together kidnapped the defacto complainant and robbed him. Further, they demanded ransom from his family members and released the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent. He has not committed any offence as alleged by the prosecution. The first accused has already released on bail by this Court an order dated 30.11.2018, in CrI.O.P(MD) No.20640 of 2018. Hence, he prayed for grant bail to the petitioner.

4.Heard the learned Additional Public Prosecutor for the respondent.



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

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 report before respondent police daily at 10.30.am.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness 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 229A IPC.

sd/-
13/12/2018

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

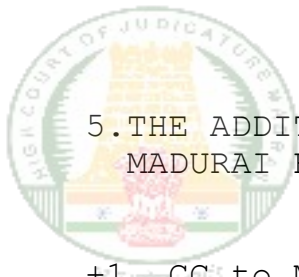
TO

1.THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.

2.THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM

3.THE INSPECTOR OF POLICE
PERAVURANI POLICE STATION, THANJAVUR.

4.THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY.



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

+1. CC to Mr.V.RAJIV RUFUS Advocate SR.No.23205

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ORDER

IN

CRL OP (MD) No.22021 of 2018

Date :13/12/2018

TK/PN.AC/SAR.2/13.12.2018/3P/7C