



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

Friday, the Twentieth day of July Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.12409 of 2018

ARUN PANDI

... PETITIONER / ACCUSED
Rank Not Known

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
THIRUMANGALAM TALUK POLICE STATION,
MADURAI DISTRICT
CRIME NO.43 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.G.KARUPPASAMY PANDIAN 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 was arrested and remanded to judicial custody on 28.06.2018 for the offences punishable under Sections 454 & 380 I.P.C., in Crime No.43 of 2018 on the file of the respondent police. He seeks bail.

2.The property in question is recovered from the first accused. The petitioner's involvement in the alleged offence came to light based on the confession of the first accused. It appears that there are cases pending against the petitioner. The petitioner appears to be a habitual offender. Therefore, this Court is constrained to impose stringent condition on him.

3.The learned counsel appearing for the petitioner on instructions from the petitioner submitted that the petitioner would not apply for modification or relaxation before this Court.

4.Taking note of all these aspects, 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 execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two common sureties for



both cases, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirumangalam, Madurai District.

(ii) the petitioner is directed to appear before the respondent police daily at 07.00 p.m. for 90 days.

(iii) the petitioner shall not abscond.

(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/-

20/07/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI DISTRICT

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI

3 THE INSPECTOR OF POLICE
THIRUMANGALAM TALUK POLICE STATION,
MADURAI DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI

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

+1. CC to M/S.G.KARUPPASAMY PANDIAN Advocate SR.No.13668
GNS
JAM/23/07/2018/ MMS /SAR 1 / 2P-7C

ORDER

IN

CRL OP(MD) No.12409 of 2018

Date : 20/07/2018