



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

Monday, the Eighth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD) No.17922 of 2018

AYYA @ THANGADURAI

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
THIRUKKATTUPALLI POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.179/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.C.ABUL KALAM AZAD Advocate
For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

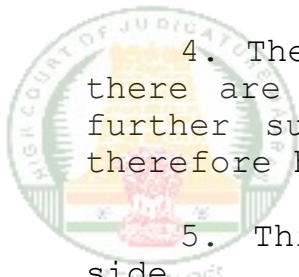
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 01.08.2018 for the offence punishable under Sections 294(b), 341,392,506(ii) of IPC r/w. 3(1) of TNPPDL Act, in Crime No.179 of 2018 on the file of the respondent police. He Seeks bail.

2. The case of the prosecution is that the petitioner along with others had assembled near Thirukattupalli market at about 03.00 p.m and had threatened all the passersby and had forced them to give money to them. That apart these persons had also taken away from the defacto complainant his ring and also cash of Rs.10,000/-. Therefore the respondent police have registered First Information Report against the petitioner and three others.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case .The learned counsel also brought to the notice of this Court one other First Information Report that was registered on the very same day by Navalpatti Police at Trichy in crime No. 112 of 2018. The learned counsel pointed out that the incident in Trichy is said to have taken place at 7.00 p.m on 16.07.2018. However in the present First Information Report this incident is said to have taken place at 03.00 p.m at Thanjavur on the same day. Therefore the learned counsel would submit that the police is implicating this petitioner in all the cases even without the petitioner being involved in committing these offences. Hence, he prays for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that there are five previous cases against this petitioner. He would further submit that the petitioner is a habitual offender and therefore he vehemently opposed grant of bail to this petitioner.

5. This Court has considered the submissions made on either side.

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6. The petitioner was remanded to judicial custody in this case and he has been in judicial custody for more than 80 days. It is also seen from records that the petitioner along with others is said to have been involved in another offence at Trichy at 7.00 p.m. This incident has happened at Tanjavur at 3.00 p.m on the same day. Hence this Court deems it fit to grant bail by imposing stringent 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, Thiruvaiyaru, Thanjavur District.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m and 5.30 p.m until further orders;

sd/-

08/10/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, THIRUVAIYARU,
THANJAVUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
THIRUKKATTUPALLI POLICE STATION, THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.C.ABUL KALAM AZAD Advocate SR.No.19032

ORDER IN
CRL OP(MD) No.17922 of 2018
Date :08/10/2018