



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

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CrI.O.P.(MD)Nos.1117, 1144 & 1309 of 2019

K.SATHISHKUMAR

... PETITIONER /2nd ACCUSED
IN CRL OP(MD)No.1117/2019

1 M.NAVEEN

2 T.THIRAVIDAMANI

3 B.MUTHUKUMAR

... PETITIONERS/ 4,3,5th ACCUSED
IN CRL OP(MD)No.1144/2019

RAMACHANDRAN (CHEENA)

... PETITIONER/ ACCUSED RANK NOT KNOWN
IN CRL OP(MD)No.1309/2019

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
THOGUR POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.116/2018

... RESPONDENT / COMPLAINANT
IN ALL THE PETITIONS

For Petitioners: Mr.A.KANTHAPALANI, Advocate
IN CRL OP(MD)NOS.1117 & 1144 OF 2019

: Mr.S.VENKATESAN, Advocate
IN CRL OP(MD)No.1309 of 2019

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor
in all the petitions

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

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody since 06.01.2019 for the offence punishable under Section 147, 148, 341, 342, 364(A) & 392 of IPC in Crime No.116 of 2018, on the file of the respondent police, seeks bail.



defacto complainant and confined in abundant place and demanded Rs.50 lakhs. Thereafter, they stolen Rs.37,000/- and a gold ring worth about ½ sovereign from him and chased away the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The petitioners are in prison more than 30 days. Accordingly, he prayed for bail.

4.The learned Additional Public Prosecutor would submit that the stolen articles were recovered from the accused person and any stringent condition may be imposed.

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

6.Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Thiruvaiyaru and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the A1 shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) and A2 to A5 shall deposit a sum of Rs.7,000/- (Rupees Seven Thousand only) each into the Crime number before the concerned Judicial Magistrate;

(c) the petitioners shall report before the respondent police daily daily at 10.30 a.m. until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

sd/-

07/02/2019

/ TRUE COPY /

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

TO

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

+1CC TO Mr.S.VENKATESAN, Advocate, SR NO.2544

ORDER IN
Cr1.O.P.(MD)Nos.1117, 1144 &
1309 of 2019
Date :07/02/2019

MS/PN/SAR-1/07.02.2019/3P.7C