



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

Wednesday, the Thirtieth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.1484 of 2019

JAMIN PRABU

... PETITIONER / 1st ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
THANJAVUR TAMIL UNIVERSITY POLICE STATION,
THANJAVUR,
Crime No.9/2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.MUNIYANDI 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 10.01.2019 for the offences punishable under Sections 364(A), 384, 392, 506(i) r/w.120(B) of IPC in Crime No.9 of 2019, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other persons had abducted the defacto complainant on 11.11.2018 and taken away some documents and money from the defacto complainant. Further they went to the defacto complainant's house and taken away lap top, computer and a sum of Rs.3,00,000/-

3. The learned counsel for the petitioner would submit that the defacto complainant claims himself to be the Chairman of All India Rail Safety Council and he is having several criminal cases against him. He would also submit that the defacto complainant has given a false complaint against the petitioner inorder to defend himself.

4. Heard the learned Government Advocate(Crl.Side) appearing 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 No. II, Thanjavur and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[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/-
30/01/2019

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO II,
THANJAVUR.

2.THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



3. THE INSPECTOR OF POLICE,
THANJAVUR TAMIL UNIVERSITY POLICE STATION,
THANJAVUR,

4. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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

+1. CC to Mr.S.MUNIYANDI Advocate SR.No.1748

ORDER
IN
CRL OP(MD) No.1484 of 2019
Date :30/01/2019

TK/VR/SAR-2/30.01.2019/3P/7C