



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

Tuesday, the Nineteenth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2534 of 2019

SAVARIRAJ

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
TAMIL UNIVERSITY POLICE STATION,
THANJAVUR DISTRICT.
(IN CRIME NO.9/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.SVIASANKAR 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 who was arrested on 10.01.2019 for the offence under Sections 364A, 384, 392, 506(i) & 120B IPC in Cr.No.9 of 2019 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that on 11.11.2018, the petitioner along with other persons had kidnapped the defacto complainant and taken away some documents and money, for which the defacto complainant preferred a complaint before the respondent police.

3.The learned counsel appearing for the petitioner would submit the offence is said to have taken place in the year 2018, however, complaint was preferred only on 05.01.2019 and apart from that this Court already granted bail to A1 and anticipatory bail to A2 & A3 and hence, he would pray for bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent police will not dispute the submissions of the learned counsel for the petitioner.



5. Considering the facts and circumstances of the case and considering the fact that the co-accused were enlarged with bail, I am 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.II, Thanjavur and on further condition that:

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

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

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]**; and;

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

sd/-
19/02/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR.

<https://hcservices.ecourts.gov.in/hcservices/>

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



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

4. THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.

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

+1. CC to MR.M.SIVASANKAR, Advocate SR.No.3288

ORDER
IN
CRL OP(MD) No.2534 of 2019
Date :19/02/2019

TK/PN/SAR-I/19.02.2019/3P/7C