



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

Wednesday, the Thirteenth day of March Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.3054 of 2019

JAYACHANDRAN

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
ALAGNANALLUR POLICE STATION,  
MADURAI DISTRICT.  
(CRIME NO.9/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.VIKRAM 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 and remanded to judicial custody since 29.01.2019 for the offence punishable under Section 394 of IPC in Cr.No.9 of 2019, on the file of the respondent police, seeks bail.

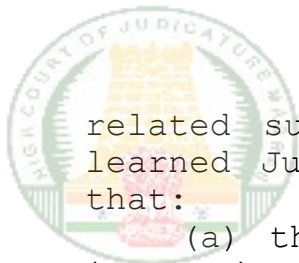
2.The case of the prosecution is that the petitioner is A2. When the defacto complainant travelled in the share auto, he along with A1 share auto driver snatched the gold chain weighing about 6 ½ sovereigns and cash of Rs.5,000/-. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. The petitioner is in prison for 44 days and he is ready to abide any condition to be imposed by this Court.

4.The learned Additional Public Prosecutor would submit that though the properties were recovered from the petitioner, no previous case against the petitioner.

5.Considering the facts and circumstances of the case and considering the fact that the stolen articles were recovered from the petitioner and considering the period of incarceration, 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, of whom, one should be a blood



related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Vadipatti, 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 petitioner shall deposit a sum of Rs.5,000/- into the credit of crime number before the concerned Court before the execution of sureties;

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

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

(e) the petitioner 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;

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

sd/-

13/03/2019

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

TO

1 THE JUDICIAL MAGISTRATE, VADIPATTI.

2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE  
ALAGNANALLUR POLICE STATION, MADURAI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

+1. CC to MR.S.VIKRAM Advocate SR.No.4774  
PS/VR/SAR-4/13.03.2019/2P/7C

ORDER

IN

CRL OP(MD) No.3054 of 2019

Date :13/03/2019