



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

Wednesday, the Twenty Second day of May Two Thousand Nineteen
PRESENT

The Hon`ble Mrs.Justice S.RAMATHILAGAM

CRL OP(MD) No.7349 of 2019

MOSES

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.215/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.KRISHNAN Advocate

For Respondent : Mrs.M.ANANTHA DEVI, Government Advocate

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 30.04.2019 for the offences punishable under Sections 394 r/w. 397, 214 r/w.34 of IPC Crime No. 215 of 2019 on the file of the respondent police, seeks bail.

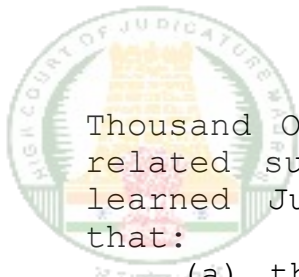
2. The case of the prosecution is that the petitioner herein along with others waylaid the defacto complainant, and snatched Rs.1,21,240/- from the defacto complainant. Hence the complaint.

3.The learned for the petitioner would submit that the petitioner is an innocent person and he has committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.Side) appearing for the State would submit that the entire amount has been recovered from the petitioner. She would also submit that the investigation is pending.

5.Considering the facts and circumstances of the case and considering the period of incarceration and also considering the fact that the entire amount has been recovered from 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Alangulam 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 report before the respondent police on every Monday and Friday 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/-

22/05/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
ALANGULAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE,
ALANGULAM POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.KRISHNAN, Advocate (SR-8685[I] dated 22/05/2019)

ORDER

IN

CRL OP(MD) No.7349 of 2019

Date :22/05/2019