



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

Friday, the Seventh day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.7821 of 2019

SAKTHI VADIVAN

... PETITIONER /SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.
(IN CRIME NO.148/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.M.A.JINNAH Advocate

For Respondent : Mrs.M.ANANTHA DEVI, Government Advocate (Crl.Side)

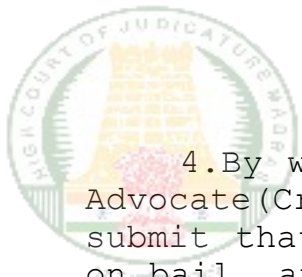
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

This petition has been filed by the Accused seeking bail for the alleged offence under Sections 397 and 506(ii) of IPC

2. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that only for the purpose of invoking Act- 14, a false case been foisted against the petitioner. He would further submit that the petitioner is in judicial custody from 08.05.2019. He would further submit that by this time investigation might have been completed. Hence he prayed for bail to the petitioner.

3. The learned Government Advocate(Crl.Side) would submit that on 08.05.2019 at about 11.30 a.m the petitioner went to the defacto complainant's sugarcane juice stall and by showing the knife he has taken Rs. 400/- from the shirt pocket of the defacto complainant and also criminally intimidated him. She would further submit that already three cases are pending against the petitioner, two cases under Section 506(ii) of IPC and one case under Section 366(A) of IPC. She would also submit that if the petitioner is released on bail, he may indulge in similar type of offence and opposed for grant of bail.



4.By way of reply to the submissions of the learned Government Advocate(Crl.Side) the learned counsel for the petitioner would submit that in the previous cases the petitioner was released was on bail and this case is a cooked up case and therefore he prayed for bail to the petitioner.

5.Taking into consideration the aforesaid facts and also the fact that the petitioner is in custody from 08.05.2019 and also considering the fact that the petitioner was already released on bail in other cases, this Court is inclined to grant bail to the petitioner imposing certain conditions.

[a] 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 Judicial Magistrate No.III , Dindigul.

[b] the petitioner shall report before the Respondent Police, daily at 10.30A.M for a period of One Month and thereafter, as and when required for the interrogation.

[c] the petitioner shall not abscond either during investigation or trail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trail.

[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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
07/06/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.III,
DINDIGUL.

2 TO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.



3 THE INSPECTOR OF POLICE,
TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.

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

+1. CC to M/S.S.M.A.JINNAH Advocate SR.No. 9244

ORDER

IN

CRL OP (MD) No.7821 of 2019

Date :07/06/2019

JM/VR/SAR 3/07.06.2019/3P/7C