



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 10/07/2019

PRESENT

WEB COPY

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.9726 of 2019

Stalin

... Petitioner/Accused No.5

Vs

State Rep.by
The Inspector of Police,
Sanarpatti Police Station,
Dindigul District.
Crime No.271 of 2019

... Respondent/Complainant

For Petitioner : M/s.A.Mohamed Igshaj,
Advocate.
For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.271/2019 on the file of the respondent police.

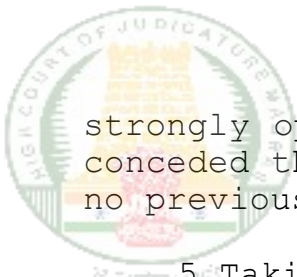
ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ accused no.5 seeking bail for the alleged offence under Sections 341 and 397 of IPC.

2. Heard both sides

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in the above case. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 12.06.2019 and he is in custody for the past 27 days. He further submitted that the stolen property has been recovered. Therefore he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there are totally five accused in this case and the petitioner herein is A5. The case of the prosecution is that the petitioner herein along with other has snatched a cell phone worth Rs.5000/- and Rs.500/- from the defacto complainant Hence he



strongly opposed to grant bail to the petitioner. However he fairly conceded that the stolen properties has been recovered and there is no previous case pending against the petitioner.

5. Taking into consideration all the allegations made against the petitioner and also the fact the petitioner is in custody for the past 27 days and also the fact that the stolen property has been recovered and there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner by imposing 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 trial.

[d] the petitioner shall not tamper with evidence or witness 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].

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

sd/-

10/07/2019

/ 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. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
 3. THE OFFICER INCHARGE, SUB JAIL, DINDIGUL.
 4. THE INSPECTOR OF POLICE, SANARPATTI POLICE STATION, DINDIGUL DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.A.MOHAMED IGSHAJ Advocate SR.No.11494

ORDER IN

CRL OP(MD) No.9726 of 2019

Date :10/07/2019