



WEB COPY

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

Date : 05/08/2019

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.11010 of 2019

Selvaraj

... Petitioner/Accused
Rank Not Known

Vs

State Rep.by
The Sub Inspector of Police,
Chokkampatti Police Station,
Tirunelveli District.
Crime No. 168 of 2019.

... Respondent/Complainant

For Petitioner : M/s.M.Solaisamy,
Advocate.

For Respondent : V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

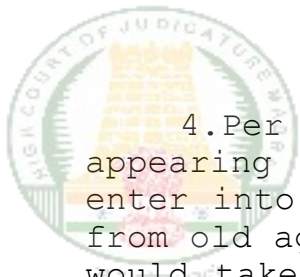
For Bail in Crime No. 168 of 2019 on the file of the
Respondent Police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner seeking bail for
the alleged offence under Section 379 IPC.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has
submitted that the petitioner is only a car taxi driver and he has
been falsely implicated in this case. He further submitted that
main allegations are against A1 only. He also submitted that the
petitioner is in custody from 20.06.2019 and already in four cases,
the petitioner was granted bail by this Court in CrI.O.P.(MD)
Nos.10851,10855 and 10853 of 2019 and hence, he prayed for grant of
bail to the petitioners.



4. Per contra, the learned Additional Public Prosecutor appearing for the respondent police has submitted that A1 used to enter into the house of the victims under the pretext that she came from old age pension scheme Department and by diverting inmates, she would take certain properties from the said houses and thereafter, she would escape through the petitioner's car. He further submitted that totally 5 cases are pending against the petitioner and hence, he strongly opposed this petition.

5. Taking into consideration of the fact that the petitioner is in custody from 20.06.2019, also the fact that in other cases, this Court already granted bail to the petitioner, this Court is inclined to grant bail to the petitioner with 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, Tenkasi.

[b] the petitioner shall report before the Senthamaram Police Station, daily at 10.30 a.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/-

05/08/2019

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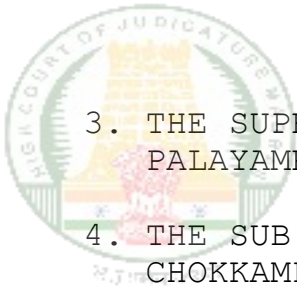
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, TENKASI.

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

2. TO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



3. THE SUPERINTENDENT, CENTRAL PRISON,
PALAYAMKOTTAI.

4. THE SUB INSPECTOR OF POLICE,
CHOKKAMPATTI POLICE STATION, TIRUNELVELI DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,
SENTHAMARAM POLICE STATION.

+1. CC to M/S.M.SOLAISAMY Advocate SR.No.12873

ORDER IN
CRL OP(MD) No.11010 of 2019
Date :05/08/2019

MS/VR/SAR-4/05.08.2019/3P.8C