



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.10956 of 2019

Sathishkumar

... Petitioner/Accused No.2

Vs

State Rep.by

The Sub Inspector of Police,

Town West Police Station,

Dindigul District.

Crime No.221 of 2019.

... Respondent/Complainant

For Petitioner : M/s.B.Santhanam Rajeskumar,
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. 221 of 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.2 seeking bail for the alleged offence under Section 399 and 402 of IPC.

2. Heard both sides

3. The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 22.07.2019 and he is in custody for the past 12 days. Therefore he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner herein along with others accused persons armed with weapons and making preparation for committing dacoity. Hence he strongly opposed to grant bail to the petitioner. He further



submitted that one previous case is pending against the petitioner in Crime No.69 of 2017 for the offences under Sections 143,341,188 of IPC.

5. Taking into consideration the fact that the petitioner is in custody for the past 12 days and the allegations made against the petitioner is that he was found along with other accused on 22.07.2019 at 03.30 a.m when they assembled with some weapons for the purpose of committing dacoity and also considering the fact one previous case is pending against the petitioner in Crime No.69 of 2017 for offences under Sections 143,341,188 of IPC and no similar type of case is 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.I, Dindigul.

[b] the petitioner shall report before the Respondent Police, 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/-

02/08/2019

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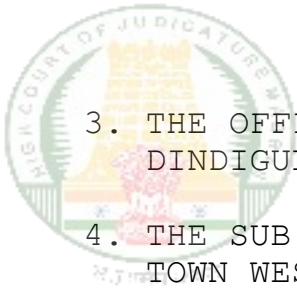
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.I, DINDIGUL.

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

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



3. THE OFFICER INCHARGE, DISTRICT JAIL,
DINDIGUL.

4. THE SUB INSPECTOR OF POLICE,
TOWN WEST POLICE STATION, DINDIGUL DISTRICT.

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

+1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.12756

ORDER

IN

CRL OP(MD) No.10956 of 2019

Date :02/08/2019

MS/VR/SAR-3/02.08.2019/3P.7C