



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

Date : 09/01/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.305 of 2020

R.CHANDRU

... PETITIONER/ACCUSED NO.2

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
THIRUPULLANI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.146/2019).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s. R. Murugan,
Advocate.

For Respondent : Mr.K.K.Ramakrishnan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.146 of 2019 on the file of the Respondent Police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 15.11.2019 for the offences under Sections 379, 395 and 397 of IPC in Crime No.146 of 2019 on the file of the respondent police. He seeks bail.

3. The petitioner is said to have robbed the victim along with co-accused. The learned Additional Public prosecutor would strongly oppose the grant of relief by pointing out the other case in which the petitioner has been involved. He would also point out that three of the co-accused are still absconding and yet to be apprehended. Eventhough, two of the accused were arrested, the mobile phones which were said to have been stolen from the victim have not been



4.The petitioner is having a permanent residence in Koravalli Village. It is also pointed out that the co-accused were granted bail by the court below. The petitioner is standing on the same footing. Therefore I am inclined to grant bail to the petitioner.

5.The learned counsel for the petitioner gives an undertaking that the petitioner will not apply for modification or relaxation of this condition.

6. Recording the said undertaking and subject to the condition, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner shall execute 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 learned Judicial Magistrate Court No.I, Ramanathapuram.

(ii) the petitioner is directed to appear before the respondent police daily at 10.30am., for a period of eight weeks and thereafter as and when required for the interrogation.

(iii) 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].

sd/-
09/01/2020

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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,
RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUPULLANI POLICE STATION,
RAMANATHAPURAM DISTRICT.



4 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

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

+1 CC to M/s.R.MURUGAN, Advocate (SR-556[I] dated 09/01/2020)

ORDER
IN
CRL OP(MD) No.305 of 2020
Date :09/01/2020

PNN
JM/VR/SAR 1/09.01.2020/3P/7C