



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 15/04/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5209 of 2020

Balamurugan ... Petitioner/Sole Accused

Vs

State rep by
The Inspector of Police,
Nachiyarpuram Police Station,
Sivagangai District,
(Crime No. 18 of 2020) ... Respondent/Complainant

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

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.18 of 2020 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 a sole accused. He was
arrested and remanded to Judicial Custody on
24.02.2020 for the offences punishable under sections
420, 294(b), 506(i) of I.P.C., in Crime No.18 of 2020
on the file of the respondent police. He seeks bail.

3. The case of the prosecution is that the
accused took the innova car bearing Reg.No.TN63 AS
6465 for two days usage from the defacto complainant



and he did not return it and stated that the case was sold. Further the petitioner abused the defacto complainant and also threatened him. Hence, the complaint.

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4. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner on condition that the petitioner shall deposit a sum of Rs.1,00,000/- to the credit of crime No.18 of 2020 before the learned Judicial Magistrate, Thirupathur, Sivagangai Distirct. On production of the receipt, the petitioner is ordered to be released on bail on his executing own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the Superintendent, Sub Jail, Thirupathur, Sivagangai Distirct and on further condition that,

[a] the petitioner shall report before the respondent police for interrogation, as and when required.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

[d] 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].

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

sd/-
15/04/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



1 THE JUDICIAL MAGISTRARE, THIRUPATHUR,
SIVAGANGAI DISTRICT

2.-DO-THRO THE CHIEF JUDICIAL MAGISTRARE SIVAGANGAI

3 THE OFFICE-IN-CHARGE, SUB JAIL, THIRUPATHUR, SIVAGANGAI DISTRICT.

4 THE INSPECTOR OF POLICE NACHIYARPURAM POLICE STATION,
SIVAGANGAI DISTRICT,

5 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT MADURAI

ORDER
IN
CRL OP (MD) No.5209 of 2020
Date :15/04/2020

SDS SKN SAR2/3P/5C 15/04/2020