



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

Date : 23/06/2020

PRESENT

The Hon`ble Mr.Justice RMT. TEEKAA RAMAN

CRL OP(MD) . No.5871 of 2020

S.Manivannan, ... Petitioner/Accused No.1

Vs

1.State rep by
The Inspector of Police, CBCID,
Idol theft prevention wing,
Trichy.

2.The Inspector of Police,
Eravancheri Police Station,
Thiruvarur District,
Crime No.59 of 2016. ... Respondent/Respondent

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

For Respondents : Mr.V.Neelakandan,
Additional Public Prosecutor

PRAYER :-

PETITION FOR BAIL Under Sec.439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in Crime No.59 of 2016, 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 Additional Public Prosecutor appearing for the respondents.

2. The petitioner, who was arrayed as accused No.1 in Crime No.59 of 2016, on the file of the respondent Police, was arrested and remanded to Judicial Custody on 12.03.2020, for the offences punishable under Sections 380 and 457 of IPC., seeks bail.



3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence, as alleged by the prosecution. He would further submit that the petitioner surrendered before the Judicial Magistrate on 12.03.2020 and so far charge sheet has not been filed for more than 90 days.

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4. The learned Additional Public Prosecutor submitted investigation is still going on.

5. The petitioner is in custody from 12.03.2020 for more than 90 days and hence, in exercising power under Section 167(ii) of Cr.P.C., I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on statutory bail, subject to the following conditions;

(a) Accordingly, 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Additional Chief Judicial Magistrate, Kumbakonam, Thanjavur District;

(b)The sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)The petitioner shall report before the respondent Police daily at 10.00 a.m., until further orders, for interrogation;

(d)The petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)The petitioner shall not abscond either during investigation or trial;

(f)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]**; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

23/06/2020

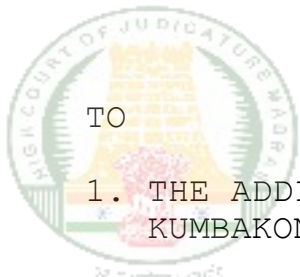
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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



TO

1. THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE,
KUMBAKONAM, THANJAVUR DISTRICT.
2. THE INSPECTOR OF POLICE, CBCID,
IDOL THEFT PREVENTION WING,
TRICHY.
3. THE INSPECTOR OF POLICE,
ERAVANCHERI POLICE STATION,
THIRUVARUR DISTRICT.
4. THE SUPERINTENDENT, CENTRAL PRISON, TRICHIRAPPALLI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5871 of 2020

Date : 23/06/2020

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AE/PN/SAR-III (23.06.2020) 3P 6C