



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

Date : 24/06/2020

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PRESENT

The Hon`ble Mr.Justice RMT. TEEKAA RAMAN

CRL OP(MD) . No.6587 of 2020

ABBAS ... PETITIONER/ACCUSED NO.3

VS

STATE REP. BY  
THE INSPECTOR OF POLICE,  
GANDHI MARKET POLICE STATION,  
TRICHY DISTRICT.  
CR.NO. 431 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.V.Karuna,  
Advocate.

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

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

PRAYER :-

To enlarge the petitioner on Bail in connection with Cr.no.431 of 2020 on the file of the respondent.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2.The petitioner is arrayed as accused No.3. He was arrested and remanded to Judicial Custody on 26.05.2020 for the offences punishable under sections 392 r/w 397 of I.P.C., in Crime No.431 of 2020 on the file of the respondent police. He seeks bail.

3.The petitioner and other accused are said to have threatened the defacto complainant at the knife point and extracted Rs.2,000/- for drinking alcohol and another person taken Rs.500/- from the pocket of the defacto complainant.



4.The learned Additional Public Prosecutor would submit that there is no previous case pending against the petitioner.

5.Considering the period of custody and also considering the fact that there is no previous case pending against the petitioner, I am inclined to enlarge the petitioner on condition that the petitioner shall deposit a sum of Rs.5,000/- to the credit of crime No.431 of 2020 before the learned Judicial Magistrate No.V, Tiruchirappalli.

(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 Judicial Magistrate No.V, Tiruchirappalli;

(b)The petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of crime No.431 of 2020 before the learned Judicial Magistrate No.V, Tiruchirappalli.

(c)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;

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

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

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

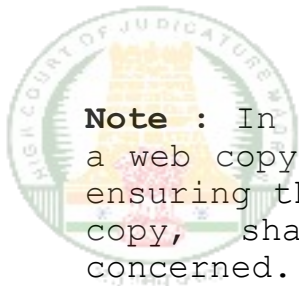
(g)On breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

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

sd/-  
24/06/2020

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/ /2020  
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.

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TO

- 1 THE JUDICIAL MAGISTRATE NO.V,  
TIRUCHIRAPPALLI.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE  
GANDHI MARKET POLICE STATION,  
TRICHY DISTRICT.
- 4 THE SUPERINTENDENT,  
CENTRAL JAIL, TIRUCHIRAPPALLI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.6587 of 2020  
Date :24/06/2020

GNS  
JM/RSK/SAR 2/24.06.2020/3P/6C