



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

Date : 07/07/2020

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PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.6762 of 2020

Dinesh,

... Petitioner/Accused No.5

Vs

State represented by its
The Inspector of Police,
Lalgudi Police Station,
(On the File of Inspector of Police,
Lalgudi Police Station)
Trichy District
(Crime No. 1446/2020).

... Respondent/Complainant

For Petitioner : Mr. R.Sureshkumar,
Advocate.

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

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

PRAYER :-

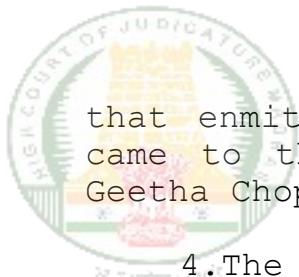
For Bail in Crime No. 1446 of 2020 on the file of the
respondent police

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 arrayed as accused No.5. He was arrested
and remanded to Judicial Custody on 11.06.2020 for the offences
punishable under sections 147, 148, 294(b), 342, 364, 506(ii) of
I.P.C., in Crime No.1446 of 2020 on the file of the respondent
police. He seeks bail.

3.The case of the prosecution is that the defacto complainant
<https://hcsreports.com/hcsreports/> Geetha Chopra against the wish of her parents. Due to



that enmity, the parents and relative of the said Geetha Chopra, came to the house of the defacto complainant and tied the said Geetha Chopra and took her. Hence, a complaint has been registered.

4.The learned counsel for the petitioner would submit that the petitioner herein is only driver of the car and that A1 to A4 and A6 were already released on bail.

5.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the main accused were already released on bail.

6.Taking note of the above facts and circumstances of the case and also taking note of the fact that main accused were already released on bail by this Court, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Lalgudi.

i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii)the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

iii)the petitioner shall not tamper with evidence or witness.

iv)the petitioner shall not abscond during trial.

v)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]**.

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
07/07/2020

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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.

TO

1. THE JUDICIAL MAGISTRATE, LALGUDI
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL JAIL, THIRUCHIRAPPALLI.
4. THE INSPECTOR OF POLICE,
LALGUDI POLICE STATION,
(ON THE FILE OF INSPECTOR OF POLICE,
LALGUDI POLICE STATION)
TRICHY DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6762 of 2020
Date : 07/07/2020

GNS
AE/PN/SAR-III (07.07.2020) 3P 6C