



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.7166 of 2020

1. G.THATCHINAMOORTHY

2. A.ABDUL HAKKIM

... PETITIONERS/ACCUSED NO.1 & 2

VS

STATE REP. BY

THE INSPECTOR OF POLICE,
VADAMADURAI POLICE STATION,
VADAMADURAI, DINDIGUL DISTRICT.
CR.NO. 918 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.R.Sundar,
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 Cr.No. 918 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

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

2.The petitioners are arrayed as accused Nos.1 and 2. They were arrested and remanded to Judicial Custody on 16.06.2020 for the offences punishable under Sections 269, 271, 465, 471, 484, 420 of I.P.C., in Crime No.918 of 2020 on the file of the respondent police. They seek bail.

3.The case of the prosecution is that the petitioners travelled from Trichy to Dindigul by using fabricated E-Pass, which is created
<https://hcservices3.courts.gov.in/hcservices> case. Hence, the complaint.



4.The learned counsel for the petitioner would submit that the petitioners are innocent persons and they were not aware about the fabricated E-Pass.

5.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that investigation is pending.

6.Taking note of the above facts and circumstances of the case and also taking note of the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

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

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 petitioners shall report before the respondent police as and when required.

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

iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

09/07/2020

/ TRUE COPY /

/ /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



TO

1 THE JUDICIAL MAGISTRATE,
VEDASANDUR.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.

3 THE INSPECTOR OF POLICE
VADAMADURAI POLICE STATION,
VADAMADURAI, DINDIGUL DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR.

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

ORDER

IN

CRL OP(MD) No.7166 of 2020

Date :09/07/2020

GNS

JM/PN/SAR 3/09.07.2020/3P/6C