



WEB COPY

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

Date : 13/07/2020

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7245 of 2020

S.Rajkumar

... Petitioner/Accused No.2

Vs

The State Rep. by
The Inspector of Police,
Golden Rock Police Station,
Trichy District.
(Crime No. 312 of 2020).

... Respondent/Complainant

For Petitioner : M/s. A.Selvendran,
Advocate.

For Respondent : Mr.M.Chandrasekaran,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 312 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner herein was arrested and remanded to judicial custody on 28.06.2020 for the alleged offences under Sections 448,294(b),353,392,397 and 506(ii) of IPC.

2. The case of the prosecution is that on 27.06.2020 the petitioner along with A1 in this case went to the tasmac shop and also taken liquor bottle worth Rs.4120/-, abused the employees of the tasmac shop and also criminally intimidated them.



3. The learned counsel for the petitioner would submit that there was a wordy quarrel between the petitioner and the employees of the tasmac shop and due to the same a false case has been foisted on the petitioner. He would also submit that the petitioner is ready and willing to deposit a sum of Rs. 4000/- without prejudice to his defence before the trial court in the crime account.

4. The learned Additional Public Prosecutor would submit that A1 and A2 in this case went to the tasmac shop and taken away liquor bottles worth Rs.4120/- and also criminally intimidated the employees of the tasmac shop.

5. Taking note of the above facts and circumstances of the case and also taking into consideration the fact that there is no previous case pending against the petitioner and also taking into account the period of incarceration and also taking into note of the fact that the petitioner is ready and willing to deposit Rs.4000/- before the trial Court in the crime account, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. 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 No.V, Trichy

i) the petitioner is directed to deposit a sum of Rs.4000/- to the credit of Crime No.312 of 2020 without prejudice to his defence and only on such deposit the learned Magistrate shall accept the sureties.

ii) 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

iii) the petitioner shall report before the respondent police as and when required for interrogation.

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

v) the petitioner shall not abscond during trial.

vi) 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].



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

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sd/-
13/07/2020

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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 No.V, TRICHY.
2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
GOLDEN ROCK POLICE STATION,
TRICHY DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7245 of 2020
Date :13/07/2020

AAV
TE/VR/SAR-III : 14/07/2020 : 3P/6C