



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

Date : 29/07/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.7874 of 2020

Sathishkumar @ Bokkas ... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.
Crime No.24/2020 in C.C.No.1 /2020. ... Respondent/Complainant

For Petitioner : M/s.P.Manikandan,
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 C.C.No. 01 of 2020 on the file of the District
Munsif cum Judicial Magistrate, Ramanathapuram.

ORDER : The Court made the following order :-

The petitioner/sole accused herein was arrested and remanded to
judicial custody on 31.01.2020 for the alleged offences under
Sections 457 and 380 of IPC.

2. The case of the prosecution is that the petitioner herein
entered into lodge owned by the defacto complainant and stolen three
mobile phones.

3. The learned counsel for the petitioner would submit that the
petitioner is innocent and he has been falsely implicated in the
above case. He would also submit that the petitioner is in jail for
nearly five months and hence he may be granted bail.

4. The learned Government Advocate (Crl.Side) would submit that
the petitioner entered into lodge owned by the defacto complainant
and stolen three mobile phones. He would also submit that the
petitioner is a habitual offender and having three previous cases.
he would also submit that the stolen properties have been recovered.



5. Taking note of the above facts and circumstances of the case and also taking note of the fact that stolen properties were recovered and also taking into consideration the period of incarceration, 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 District Munsif cum Judicial Magistrate, Rameswaram.

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].

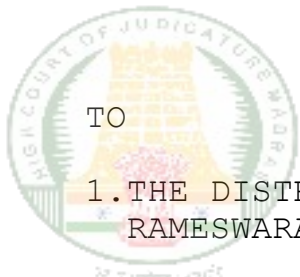
vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/07/2020

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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



TO

1. THE DISTRICT MINSIF CUM JUDICIAL MAGISTRATE,
RAMESWARAM.

2. THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3. THE INSPECTOR OF POLICE,
RAMESWARAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

4. THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

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

ORDER

IN

CRL OP(MD) No.7874 of 2020

Date : 29/07/2020

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