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

Date : 25/09/2020

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.9526 of 2020

Vimal @ Selvakumar

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Woraiyur Police Station,
Tiruchirappalli District.
Crime No.608/2020.

... Respondent/Complainant

For Petitioner : M/s.M.Boopathi Pandiyan,
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.608/2020 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 30.07.2020 for the alleged offences under Sections 392 and 397 of IPC.

2. The case of the prosecution is that the petitioner herein has waylaid the defacto complainant and forcibly snatched a sum of Rs.1300/- from him and also criminally intimidated him. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would also submit that the petitioner is in jail for nearly 55 days, hence he may be granted bail.



4. The learned Government Advocate(Criminal Side) would submit that this the second bail petition and the first bail petition was dismissed by this Court on 27.08.2020. He would also submit that the investigation is almost completed.

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5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also the fact that investigation is almost completed 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.IV, Tiruchirapalli

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/-
25/09/2020

/ 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 concerned.

TO

1. THE JUDICIAL MAGISTRATE NO.IV,
TIRUCHIRAPPALLI.
2. -DO- THROUGH: THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI
3. THE SUPERINTENDENT,
CENTRAL PRISON,
TIRUCHIRAPPALLI.
4. THE INSPECTOR OF POLICE,
WORAIYUR POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.9526 of 2020
Date :25/09/2020

AAV
SRS/ PN/ SAR-II/ 25.09.2020/ 3P/6C