



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/10/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice ABDUL QUDDHOSE

CRL OP(MD). No.11955 of 2020

Rajkumar ... Petitioner/Accused No.6

Vs

State Rep. by
The Inspector of Police,
Keerathurai Police Station,
Madurai City.
Crime No.1063 of 2020

... Respondent/Complainant

For Petitioner : Mr.R.Venkatesan, Advocate
for M/s.Right Law Associates
For Respondent : Mr.R.Sreenivasan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.1063 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A6, who was arrested and remanded to judicial custody on 21.09.2020 for the offences punishable under Sections 399 of IPC and Section 25(1A) of Arms Act on the file of the respondent police seeks bail.

2.There are totally six accused in this case and the petitioner herein is arrayed as A6. The case of the prosecution is that when the respondent police was in surveillance at Villapuram, Manikandan Nagar, they found the petitioner along with other accused in two cars, in which they possessed deadly weapons and preparing themselves to commit dacoity.

3.The learned counsel for the petitioner would submit that A1 and A3 in this case was released on bail by the learned Principal Sessions Judge, Madurai on 08.10.2020 in Cr.M.P.Nos. 4503 and 4506



of 2020. H also further submitted that the petitioner is only a owner cum driver of the car bearing Reg. No. TN 58 BB 9234, Swift Dzire and it is ola hired vehicle and he has no connection with the persons who had travelled in the said vehicle.

4. The learned Government Advocate(Crl.Side) would submit that there is no previous criminal case is pending against the petitioner.

5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also taking into consideration the fact that no previous criminal case is pending against the petitioner, 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.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Madurai

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/-
22/10/2020

/ 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.

WEB COPY

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

ORDER
IN
CRL OP(MD) No.11955 of 2020
Date :22/10/2020

AAV
JM/JC/SAR IV/23.10.2020/3P/6C