



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

Date : 23/11/2020

PRESENT

**The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN**

CRL OP(MD). No.12047 of 2020

Mukilan

... Petitioner/Sole Accused

Vs

The State rep.by  
The Inspector of Police,  
Ganesh Nagar Police Station,  
Pudukkottai District.  
Crime No.816 of 2020

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian,  
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. 816 of 2020 on the Respondent of police.

**ORDER :** The Court made the following order :-

The petitioner Sole accused, who was arrested and remanded to judicial custody on 01.10.2020 for the offences punishable under Sections 341, 387 & 506(ii) of I.P.C, on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner demanded a sum of Rs.500/- from the defacto complainant by showing the knife. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that he is in custody from 01.10.2020 and hence, he prayed for bail to the petitioner.

4. The learned Government Advocate(Crl.Side) would submit that the petitioner demanded a sum of Rs.500/- from the defacto complainant by showing the knife and the petitioner is having one previous case.



5.It is seen that in this case, no injury was caused to the defacto complainant and the amount involved in this case is very less amount.

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

7.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 blood sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Pudukkottai.

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 respondent police daily Morning at 10.30 am and Evening at 05.30 p.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/-  
23/11/2020

/ 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.I, PUDUKKOTTAI.

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

3.THE OFFICER INCHARGE,  
DISTRICT PRISON, PUDUKOTTAI.

4.THE INSPECTOR OF POLICE,  
GANESH NAGAR POLICE STATION,  
PUDUKOTTAI DISTRICT.

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

ORDER  
IN  
CRL OP(MD) No.12047 of 2020  
Date :23/11/2020

DSS  
TK/PN/SAR.2/23.11.2020/3P/6C