



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

Date : 05/11/2020

PRESENT

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

CRL OP(MD). No.12483 of 2020

Selvam @ Subramani @ Thee Selvam ... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Somarasampettai Police Station,
Trichy.
Crime No.1126 of 2020.

... Respondent/Complainant

For Petitioner : M/s.N.Anandakumar,
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 Cr.No.1126 of 2020 on the file of the
respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to
judicial custody on 10.10.2020 for the offences punishable under
Sections 387, 506(ii) of IPC @ 397 of IPC on the file of the
respondent police seeks bail.

2.The case of the prosecution is that on 10.10.2020 at about
10.00am., the petitioner herein by showing knife on the defacto
complainant extracted Rs. 500/- from him. Hence the complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is innocent and a false case has been foisted against
him.

4. The learned Government Advocate(Crl.Side) would submit that
the amount was recovered from the petitioner. He would also submit
that seven previous case 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 the fact that the amount was recovered from 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 (out of which one shall be blood related surety) each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Trichy

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 for a period of four weeks and thereafter as and when required for interrogation.

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/-

05/11/2020

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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,
SOMARASAMPETTAI POLICE STATION, TRICHY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.12483 of 2020

Date :05/11/2020

MS/VR/SAR-4/05.11.2020/3P.6C