



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.12812 of 2020

Alaguraj

... Petitioner/Accused
(Rank not known)

Vs

State Rep.by
The Inspector of Police,
Jegathapattinam Police Station,
Pudukottai District.
(Crime No.419 of 2020)

... Respondent/Complainant

For Petitioner : M/s.G.D.Manikandan,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

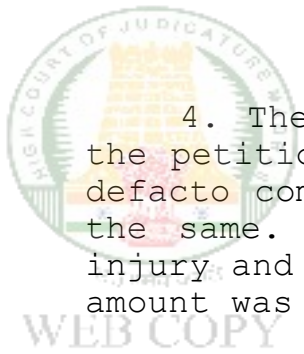
PRAYER :- For Bail in Crime No.419 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner (Rank not known), who was arrested and remanded to judicial custody on 25.09.2020 for the offences punishable under Sections 341, 294(b), 506(ii), 394 & 307 of I.P.C, on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner along with another robbed a sum of Rs.2750/- from the defacto complainant by showing the knife and also attacked him with the same. Due to which, the defacto complainant sustained injury. 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 26.09.2020 and he sustained only simple injury and he also discharged from the hospital and hence, he prayed for bail to the petitioner.



4. The learned Government Advocate(Crl.Side) would submit that the petitioner along with another robbed a sum of Rs.2750/- from the defacto complainant by showing the knife and also attacked him with the same. Due to which, the defacto complainant sustained simple injury and he was discharged from the hospital on 05.11.2020 and the amount was also recovered.

5. It is seen that the petitioner sustained only simple injury and he was discharged from the hospital and the amount was also recovered from the accused.

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, Aranthangi.

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 stay at Madurai and report before the Inspector of Police, Anna Nagar Police Station, 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.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE, ARANTHANGI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
3. THE OFFICER INCHARGE, DISTRICT JAIL,
PUDUKOTTAI.
4. THE INSPECTOR OF POLICE,
JEGATHAPATTINAM POLICE STATION, PUDUKOTTAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI DISTRICT.

ORDER

IN

CRL OP(MD) No.12812 of 2020

Date :23/11/2020

MS/PN/SAR-2/23.11.2020/3P.7C