



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

Date : 11/11/2020

PRESENT

The Hon`ble **Mr.Justice S.M.SUBRAMANIAM**

CRL OP(MD). No.12990 of 2020

Pool Pandi

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
DCB(ALGSC)Police Station, Thoothukudi.
Crime No.25 of 2013

... Respondent/Complainant

For Petitioner : Mr.R.Maheswaran,
Advocate.

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

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

PRAYER :- For Bail in Crime No.25 of 2013 on the file of the Respondent Police.

ORDER : The Court made the following order :-

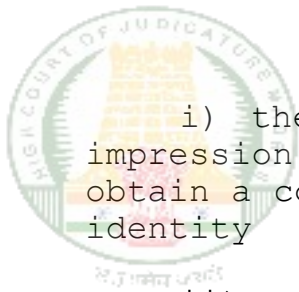
The petitioner/3rd accused, who was arrested and remanded to judicial custody on 03.11.2020 for the offences punishable under Sections 120B, 468, 471 and 420 IPC, in Crime No.25 of 2013, on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner made a submission that the petitioner was arrested on 03.11.2020 and other accused were already granted anticipatory bail.

3.In view of the fact that the other accused were already granted anticipatory bail and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

4.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 Principal District Munsif, Thoothukudi (Judicial Magistrate) Special Court for Land Grabbing cases),

<https://hcservicescourts.gov.in/hcservices> .



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 is directed to be present before the respondent police 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/-

11/11/2020

/ 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 PRINCIPAL DISTRICT MUNSIF, THOOTHUKUDI (JUDICIAL MAGISTRATE) SPECIAL COURT FOR LAND GRABBING CASES), THOOTHUKUDI (FAC).
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 THE OFFICER INCHARGE, DISTRICT PRISON, THOOTHUKUDI.
- 4 THE INSPECTOR OF POLICE, DCB(ALGSC)POLICE STATION, THOOTHUKUDI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.12990 of 2020

Date :11/11/2020