



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

Date : 08/12/2020

PRESENT

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

CRL OP(MD). No.14303 of 2020

1. Indra
2. Kavitha ... Petitioners/Accused 1 & 2

Vs

State Rep.by
The Inspector of Police,
B1 Ramanathapuram Town Police Station,
Ramanathapuram District.
Crime No.269 of 2020. ... Respondent/Complainant

For Petitioners: Mr.M.Suresh,
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.269 of 2020 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2 , who were arrested and remanded to
judicial custody on 12.10.2020 for the offences punishable under
Section 392 of IPC on the file of the respondent police seek bail.

2.The case of the prosecution is that on 12.10.2020 at about
11.00am., in order to commit robbery the first accused pushed down
the defacto complainant and after he fell down the second accused
robbed the money purse from the defacto complainant.

3.The learned counsel for the petitioners would submit that
the petitioners are innocent and they have been falsely implicated
in this case. He would also submit that the petitioners were in jail
for more than 60 days, hence he may be granted bail.

4. The learned Government Advocate(Crl.Side) would submit that
on 12.10.2020 at about 11.00am., in order to commit robbery the
first accused pushed down the defacto complainant and after he fell



down the second accused robbed the money purse from the defacto complainant and the stolen property was also recovered.

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 stolen property was recovered, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two blood sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Ramanathapuram District

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 petitioners shall report before the respondent police daily at 10.30 a.m, 1.30 pm., and 5.30 pm., until further orders.

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
08/12/2020

/ 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, remains the responsibility of the advocate/litigant concerned.

<https://hcmr.judiciary.gov.in/hcmr-services>



TO

1. THE JUDICIAL MAGISTRATE NO.I,
RAMANATHAPURAM DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON,
MADURAI.
4. THE INSPECTOR OF POLICE,
B1 RAMANATHAPURAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.14303 of 2020
Date :08/12/2020

MS/PN/SAR-4/08.12.2020/3P.6C