



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

Date : 18/12/2020

PRESENT

WEB COPY

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

CRL OP(MD). No.15134 of 2020

1. Ezhilarasan
2. Tamilarasan

... Petitioners/Accused No's 2 and 3

Vs

State Rep. by
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

... Respondent/Complainant

For Petitioners : M/s.C.M.Arumugam,
Advocate.

For Respondent : Mrs.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.711 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 and A3 , who were arrested and remanded to judicial custody on 17.11.2020 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 the petitioners herein by showing knife has taken money and cell phone from the defacto complainant. Hence the complaint.

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 further submit that the petitioners are in jail for 30 days. Hence they may be granted bail.

4. The learned Government Advocate(Crl.Side) would submit that petitioners herein by showing knife has taken money and cell phone from the defacto complainant and now the stolen properties have been recovered.

5. Taking note of the above facts and circumstances of the case <https://hcservices.adusgopvtgksermcs/> into consideration the period of incarceration and



also the fact that the stolen properties have been 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, Manamadurai.

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 stay at Ariyalur and report before the Ariyalur Police Station daily at 10.30 a.m and 5.30 pm., for a period of four weeks and thereafter before the respondent police daily at 10.30 a.m., 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/-
18/12/2020

/ TRUE COPY /

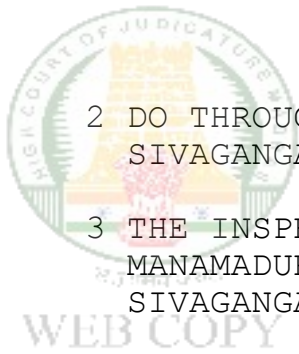
/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE,
MANAMADURAI.

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



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.

4 THE SUPERINTENDENT,
MADURAI CENTRAL JAIL, MADURAI.

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

COPY TO:

THE INSPECTOR OF POLICE,
ARIYALUR POLICE STATION,
ARIYALUR.

ORDER

IN

CRL OP(MD) No.15134 of 2020

Date :18/12/2020

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JM/PN/SAR III/18.12.2020/3P/7C