

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Date : 12.05.2021

PRESENT

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

CRL OP. No.8843 of 2021

Sathishkumar

... Petitioner/Sole Accused

Vs

State by the Inspector of Police,
Vaduvoo Police Station,
Thiruvarur District
(Crime No.266 of 2021)

... Respondent/Complainant

For Petitioner : Mr.M.Duraimurugan

For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

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

PRAYER :-

To enlarge the Petitioner/Sole Accused on bail pending investigation in Crime No.266 of 2021 on the file of the Respondent Police.

ORDER

The petitioner, who was arrested on 16.04.2021 for the offences punishable under Sections 379 and 431 of IPC in Crime No.266 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 16.04.2021, the petitioner is said to have involved in the illegal theft of one unit of river sand in the mini lorry bearing registration No.TN38-Z-1467.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is under judicial custody from 16.04.2021 and seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent strongly opposes the petition and submits that no previous case is pending against him.

5. Taking note of the fact that the petitioner is in judicial custody from 16.04.2021 and there is no previous case pending against him, this Court is inclined to grant bail to the petitioner. 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 Judicial Magistrate No.1, Mannargudi and on further condition that:

- a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.
- b) the petitioner shall report before the respondent police daily at 10.30 am., until further orders.
- c) the petitioner shall not abscond either during investigation or trial.
- d) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- e) 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].
- f) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

12/05/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

WEB COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.1, MANNARGUDI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR (FOR INFORMATION)

3 INSPECTOR OF POLICE
VADUVOOR POLICE STATION,
THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

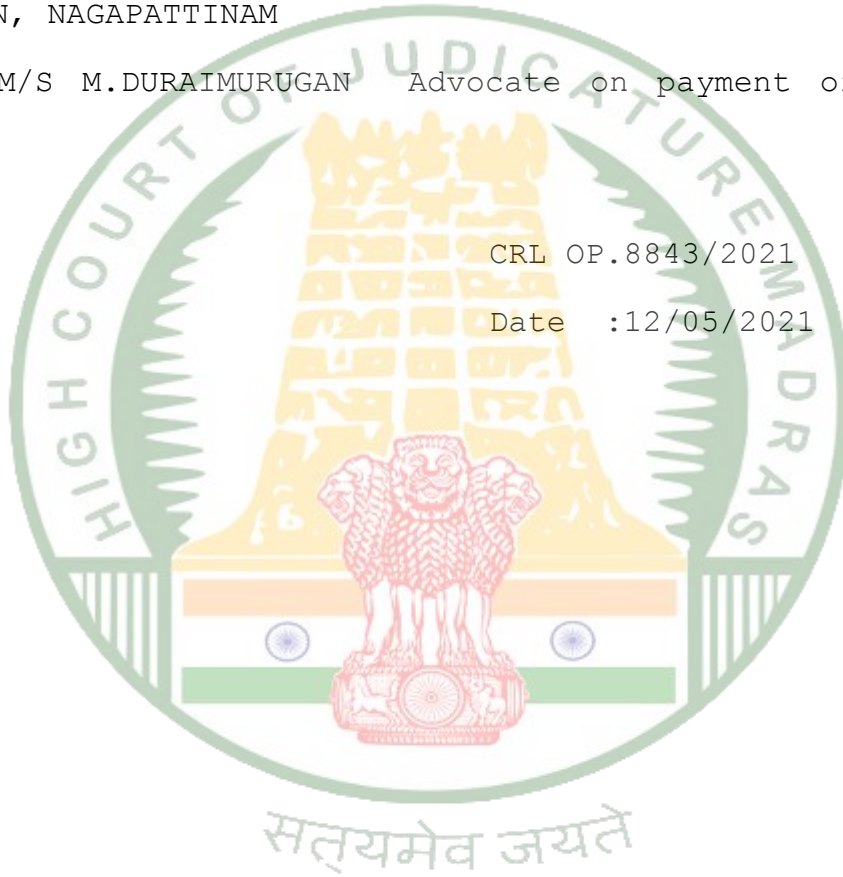
5 THE OFFICER INCHARGE,
DISTRICT PRISON, NAGAPATTINAM

CC to M/S M.DURAIMURUGAN Advocate on payment of necessary
charges

CRL OP.8843/2021

Date :12/05/2021

RVR 13/05/2021



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