



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/03/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD). No.3195 of 2021

Pandi @ Sarayapandi @ Suriyapandiyarajan,
... Petitioner/ 1st Accused

Vs

State rep.by,
The Inspector of Police,
Airport Police Station,
Trichy City.
(Crime.No.101/2019).

... Respondent/Complainant

For Petitioner : M/s.Anandakumar.N.,
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 P.R.C.No.27/2020 on the file of the Learned Judicial Magistrate No.VI, Trichy.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 15.01.2020 for the offences punishable under Sections 392 and 397 of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner along with other accused said to have extorted Rs.4000/- from the defacto complainant by showing knife. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against
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him. He was arrested and remanded to judicial custody on 15.01.2020, subsequently he was detained under Act.14 and thereafter the same was set aside by this Court in HCP(MD) No.1260 of 2019 by an order dated 21.09.2020, hence he seeks bail.

4. The learned Government Advocate(Crl.Side) would submit that petitioner along with other accused said to have extorted Rs.4000/- from the defacto complainant by showing knife Further he was detained under Act.14 and thereafter the same was set aside by this Court in HCP(MD) No.1260 of 2019 by an order dated 21.09.2020. He would also submit that the property has been recovered.

5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also taking note of the fact that the property has been recovered this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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 No.VI, Trichy

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 report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter 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/-
10/03/2021

/ TRUE COPY /

/ /2021

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



AAV

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 NO.VI,
TRICHY.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3 THE INSPECTOR OF POLICE
AIRPORT POLICE STATION, TRICHY CITY.
- 4 THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3195 of 2021
Date :10/03/2021

NR/PN/SAR-III(10.03.2021) 3P:6C