



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/03/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.3341 of 2021

Kaththar @ Karuppusamy

... Petitioner/Accused No.1

Vs

State rep.by,
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District
Crime No.711/2020.

... Respondent/Complainant

For Petitioner : M/s.K.Sathish Kumar,
Advocate.

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

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

PRAYER :-

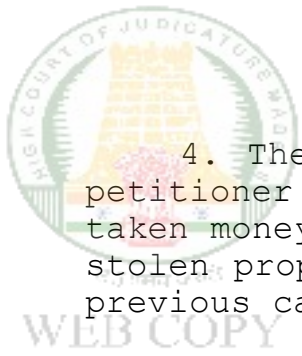
For Bail in Crime no. 711 of 2020 on the file of the
respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1 , who was arrested and remanded to judicial
custody on 30.01.2021 for the offence punishable under Section 392
of IPC on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner herein
along with other accused by showing knife has taken money and cell
phone from the defacto complainant. Hence the complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is innocent and he has been falsely implicated in this
case. He would further submit that co-accused in this case were
granted bail by this Court on 18.12.2020 in Crl.O.P(MD) No.15134 of



4. The learned Government Advocate(Crl.Side) would submit that petitioner herein along with other accused by showing knife has taken money and cell phone from the defacto complainant and now the stolen properties have been recovered. He would also submit that 10 previous case is pending against the petitioner.

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 properties have been recovered from A2 and A3 and also the fact that the co-accused in this case were granted bail by this Court, 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) each with two sureties 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 petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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/-

03/03/2021

/ 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,
MANAMADURAI.
 - 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.
 - 3 THE INSPECTOR OF POLICE
MANAMADURAI POLICE STATION, SIVAGANGAI DISTRICT
 - 4 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/S.K.SATHISH KUMAR, Advocate SR.No.1697

ORDER
IN
CRL OP(MD) No.3341 of 2021
Date :03/03/2021

NR/PN/SAR-I(03.03.2021) 3P:7C