



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

Date : 07/04/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD). No.5064 of 2021

1. Chandran @ Sileppi Chandran
2. Sundravel
3. Kubendran @ Dappa Kubendran
4. Rasu @ Koil Rasu ... Petitioners/Accused No.1,2,4 & 5
-Vs-

State Rep.by
The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
Crime No.78 of 2021 ... Respondent/Complainant

For Petitioners : Mr.K.Sathish Kumar,
Advocate.
For Respondent : Mr.K.Dinesh Babu,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.78 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1, A2,A4 and A5 , who were arrested on 14.03.2021 for the offence under Section 399 IPC in Cr.No.78 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners, along with other accused were preparing for committing dacoity.

3. The learned counsel appearing for the petitioners would submit that a false case has been foisted against the petitioners on the eve of election to maintain law and order problem and they were arrested on 14.03.2021 as a preventive measure.

4. The learned Additional Public Prosecutor would submit that except fourth petitioner other accused persons are history sheeted rowdy elements and as of now no criminal case is pending against



5. Taking into consideration the nature of allegations in the FIR and also taking note of the fact that the petitioners were allegedly making preparation to commit dacoity and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner.

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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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Devakottai 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 petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond 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 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

07/04/2021

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/ /2021

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, DEVAKOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
3. THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.
4. THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-2930[I] dated 07/04/2021)

ORDER

IN

CRL OP(MD) No.5064 of 2021

Date :07/04/2021

AAV

MS/VR/SAR-1/07.04.2021/3P.7C