



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

Date : 16/06/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD).No.6947 of 2021

Praveen

... Petitioner/Accused No.2

Vs

The State rep.by,
The Inspector of Police,
Trichy Railway Police Station,
Trichy District.
Crime No.25 of 2021.

... Respondent/Complainant

For Petitioner : Mr.K.Dinesh,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.25 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.2 is in custody from 15.04.2021 for the offences under Section 392 of IPC, in Crime No.25 of 2021 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 03.04.2021, while the defacto complainant's wife was going by train from Ezhumbur Junction to Rockfort Junction, an unknown accused person snatched the gold chain from the defacto complainant's wife.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in the present case. The petitioner is in judicial custody from 15.04.2021.

4.The learned Additional Public Prosecutor would submit that the property has been recovered and the co-accused have been released on bail by the learned Judicial Magistrate No.IV, Tiruchirappalli in Cr.M.P.No.2944 of 2021 and Cr.M.P.No.2810 of 2021



both dated 21.05.2021. He would further submit that there is no previous case pending against the petitioner.

4.Considering the period of incarceration of the petitioner and considering the fact that major part of the investigation might have been over by this time and also considering the fact that the petitioner has no previous case pending against him, this Court is inclined to grant bail to the petitioner with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) before the Jail Authority. The petitioner after his release shall surrender before the concerned Judicial Magistrate voluntarily on any working day within a period of one month from the date of resumption of regular work in the Subordinate Courts and execute 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.IV, Trichy. On such execution of bond before the concerned Magistrate, the own bond executed before the Jail Authority shall stand cancelled automatically.

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 appear before the respondent police once in a week i.e., on every Monday at 10.30 a.m., until further orders;

iii)The petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond either during investigation or trial; and

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]**.

sd/-

16/06/2021

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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



TO

1. THE JUDICIAL MAGISTRATE NO.IV,
TRICHIRAPPALLI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHIRAPPALLI DISTRICT.
3. THE SUPERINTENDENT, CENTRAL JAIL,
TRICHY.
4. THE INSPECTOR OF POLICE,
TRICHY RAILWAY POLICE STATION,
TRICHY DISTRICT
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6947 of 2021
Date :16/06/2021

SM
PK/PN/SAR-III/16.06.2021 : 3P/6C