



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

Date : 28/06/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.8417 of 2021

Sridhar

... Petitioner/Accused No.2

Vs

State Rep. by
The Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai District.
Crime No.314/2021.

... Respondent/Complainant

For Petitioner : Mr.Sivachandran.P.,
Advocate.

For Respondent : Mr.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.314/2021 on the file of the
respondent Police

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested on 19.05.2021 for the
offences punishable under Sections 392,397 and 506(ii) of IPC in
Crime No.314 of 2021 on the file of the respondent police, seeks
bail.

2. The defacto complainant is working in Homeguard. The case of
the prosecution is that on 19.05.2021 at about 2.00p.m., he was
going near Ganesh Nagar, 1st street. At that time the accused had
come in a two wheeler bearing Reg. No. TN 55 BH 9214 and waylaid him
and the accused Deepan raj @ Vasanthakumar by showing the aruval
criminally intimidated him and has taken Rs.500/- from his pocket,
therefore the case came to be registered.

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 petitioner is in judicial custody
from 19.05.2021, hence he seeks bail.

4. The learned Additional Public Prosecutor appearing for the
respondent has opposed the bail petition on the ground that the



investigation is not yet completed. He would further submit that the petitioner is having two previous cases, out of which one case is under Section 302 of IPC.

5. Perusal of the First Information shows that it was the first accused who had criminally intimidated the defacto complainant by wielding aruval. The allegation against this petitioner is that he also said to have criminally intimidated the defacto complainant alleging that he had already been in jail in connection with a murder case.

6. Taking note of the fact and circumstances of the case and also the fact that the substantial portion of the investigation might have been completed by this time and the fact that the petitioner is in judicial custody from 19.05.2021, this Court is inclined to grant bail to the petitioner

7. 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.I, Pudukottai 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/-
28/06/2021

/ TRUE COPY /

/ /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.

WEB COPY

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
PUDUKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION,
PUDUKOTTAI DISTRICT
- 4 THE OFFICER INCHARGE,
SUB JAIL, PUDUKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8417 of 2021
Date :28/06/2021

aav
JM/VR/SAR III/28.06.2021/3P/6C