



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.9028 of 2021

Sathiyannarayanan

... Petitioner/Accused No.5

Vs

State Rep by its
The Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.
Crime No. 182 of 2021.

... Respondent/Complainant

For Petitioner : Mr.Mohamed Hashim A,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.182 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested on 14.06.2021 for the offence punishable under Section 399 of IPC in Crime No.182 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 14.06.2021 at about 05.30 am., behind the house of Ramar near Railway Feeder Road they found some persons. On seeing the police they tried to escape. The police apprehended them and found they were in possession of dangerous weapons and chilly powder. The enquiry revealed that they were preparing to commit dacoity. Petitioner is one among them. 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 the petitioner is in judicial custody from 14.06.2021, hence he seeks bail.



4. The learned Additional Public Prosecutor appearing for the respondent opposed the bail petition on the ground that the investigation is not yet completed.

5. Further from the allegations made it is seen that the petitioner along with other accused alleged to have made an attempt to commit robbery. It is also stated that A4 in this case was granted bail by this Court on 07.07.2021 in Crl.O.P(MD) No.8932 of 2021.

6. Taking into consideration the age of the petitioner and the fact that the petitioner is in judicial custody from 14.06.2021, 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 District Munsif cum Judicial Magistrate, Rameswaram 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]**.

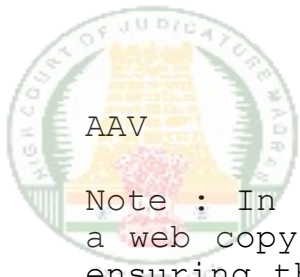
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

Sd/-
08/07/2021

/ 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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
RAMESWARAM.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3.THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.

4.THE INSPECTOR OF POLICE,
RAMESWARAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP (MD) No.9028 of 2021

Date : 08/07/2021

VB/AKM/SAR.I/07.07.2021/3P/6C