



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

Date : 23/07/2021

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PRESENT

The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL OP(MD) . No.9832 of 2021

V.Chinnaiya

... Petitioner/Accused-3

Vs

State through
The Inspector of Police,
Veeracholan Police Station,
Viruthunagar District.
in Crime No.30 of 2021.

... Respondent/Complainant

For Petitioner : Mr.S.Arokiya Selva Ramesh, Advocate.

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

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

PRAYER :-

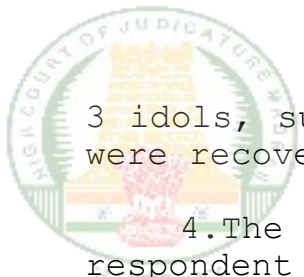
For Bail in Crime No.30/2021 on the file of the Respondent Police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2.The petitioner is the 3rd accused in this case. He was arrested and remanded to Judicial Custody on 27.05.2021 for the offences punishable under section 454(2), 457(2), 380(2) of IPC in Crime No.30 of 2021 on the file of the respondent police. He seeks bail.

3.The case of the prosecution is that on the basis of confession, the petitioner was arrested by the respondent police and



3 idols, such as Buddha Statue, Vinayagar Statue and a Amman Statue were recovered from him. Hence, the complaint.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner is not having any previous cases.

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5.Taking note of the facts and circumstances of this case that the petitioner has no previous antecedents, I am inclined to enlarge the petitioners on bail with certain 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) with two sureties, each for a like sum to the satisfaction of the learned Additional Chief Judicial Magistrate-Kumbakonam, and on further conditions 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 10.00 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.

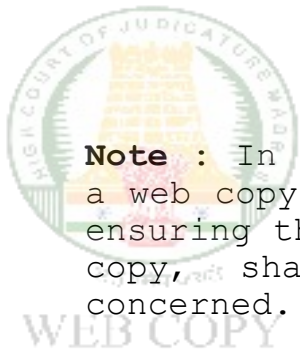
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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/-
23/07/2021

/ 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.

TO

- 1.THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE,
KUMBAKONAM.
- 2.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 3.THE INSPECTOR OF POLICE
VEERACHOLAN POLICE STATION,
VIRUTHUNAGAR DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.9832 of 2021
Date :23/07/2021

SA/VR/SAR.4/23.07.2021/3P/5C