



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/08/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.10251 of 2021

Kalaiarasan

... Petitioner/Accused No.A2

Vs

The State rep.by
The Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.
(Cr.No.555 of 2021).

... Respondent/Complainant

For Petitioner : Mr.K.S.DURAIPANDIAN,
Advocate.

For Respondent : Mr.T.SENTHILKUMAR,
Government Advocate (Crl.Side)

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

PRAYER :-

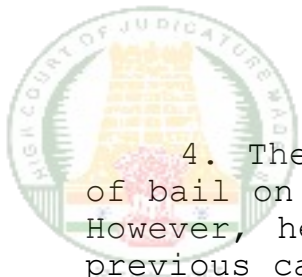
For Bail in Crime No.555 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested on 14.07.2021, for the offences punishable under Sections 341 and 392 of IPC in Crime No.555 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 15.06.2021, when the defacto complainant was proceeding in his two-wheeler, the petitioner along with other accused intercepted the defacto complainant and snatched Rs.5750/- on the pretext that they are Police. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and he is in judicial custody from 14.07.2021. Hence, he seeks for grant of bail.



4. The learned Government Advocate(Crl.Side) opposed for grant of bail on the ground that the investigation is yet to be completed. However, he fairly submits that the petitioner was involved in one previous case of similar in nature and the same ended in acquittal.

WEB COPY

5. Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioner and the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is ordered. The petitioner is directed 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, Thiruvidaimaruthur 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 10.30 a.m. 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/-

17/08/2021

/ 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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3. THE OFFICER INCHARGE,
SUB JAIL, KUMBAKONAM.

4. THE INSPECTOR OF POLICE
THIRUNEELAKUDI POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.10251 of 2021

Date : 17/08/2021

SA/VR/SAR.1/17.08.2021/3P/6C