



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

Date : 11/08/2021

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.10945 of 2021

Karthik Raja

... Petitioner/Accused No.1

Vs

The State Rep. by,
The Inspector of Police,
Melur Police Station (L&O),
Madurai District.
(Crime No.449 of 2021).

... Respondent/Complainant

For Petitioner : Mr.S.Vinodh,
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.449 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested on 12.07.2021, for the offences punishable under Sections 294(b), 341, 307 and 394 of IPC, in Crime No.449 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused waylaid the defacto complainant and robbed a sum of Rs.200/- in knife point.

3. The learned counsel for the petitioner submits that the petitioner is an innocent and he is no way connected with the incident. It is further submitted that the petitioner is in jail from 12.07.2021. Hence, he seeks to grant bail.



4. The learned Government Advocate (Crl. Side) submits that originally, two cases have been registered against the petitioner in Cr.Nos.448 and 449 of 2021. Apart from these two cases, the petitioner is also involved in three other cases. The learned Government Advocate (Crl. Side) further submits that in Cr.No.448 of 2021, the petitioner was granted bail on 10.08.2021, in Crl.O.P.(MD) No.10939 of 2021.

5. Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioner, the period of incarceration and the fact that the petitioner was already granted bail in the connected case, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered. 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, Melur, Madurai 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 twice, i.e. at 10.30 a.m. and 5.30 p.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.

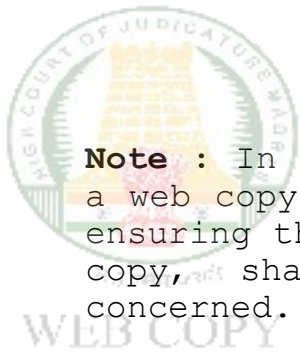
[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down 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/-
11/08/2021

/ 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 JUDICIAL MAGISTRATE,
MELUR, MADURAI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE,
MELUR POLICE STATION (L&O),
MADURAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.10945 of 2021
Date :11/08/2021

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USK/PN/SAR-I : 11/08/2021 : 3P/6C