



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 16.09.2021

PRESENT

**The Hon'ble Mr.Justice B.PUGALENDHI**

CRL OP(MD). No.13520 of 2021

GUNA ... PETITIONER/SOLE ACCUSED

VS

STATE REP. BY,  
THE INSPECTOR OF POLICE,  
TOWN POLICE STATION,  
PUDUKOTTAI,  
PUDUKOTTAI DISTRICT.  
(CRIME.NO.1200 OF 2021).

... RESPONDENT/COMPLAINANT

FOR PETITIONER : MR.K.G.ARUN KUMAR  
ADVOCATE.

FOR RESPONDENT : MR.T.SENTHILKUMAR,  
ADDITIONAL PUBLIC PROSECUTOR (Crl.Side)

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

PRAYER :-

For Bail in Crime No.1200 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A2 herein, who was arrested on 21.08.2021 for the alleged offence under Sections 392 of IPC r/w 397, 506(ii) IPC, in Crime No.1200 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.08.2021, when the defacto complainant was on his way to work, this petitioner scolded him and at knife point demanded money from him and had taken Rs.1,500/- from his pocket. Hence, the complaint

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence and only due to previous motive, the defacto complainant lodged a false complaint before the respondent police.



4.The learned Additional Public Prosecutor appearing for the respondent police submitted that investigation is yet to be completed.

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

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Pudukottai, Pudukottai District 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 a.m. until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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]**.

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

sd/-  
16/09/2021

/ TRUE COPY /

/ /2021  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

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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 OFFICER INCHARGE,  
SUB JAIL, PUDUKOTTAI.
4. THE INSPECTOR OF POLICE,  
TOWN POLICE STATION,  
PUDUKOTTAI,  
PUDUKOTTAI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL OP(MD) No.13520 of 2021  
Date :16/09/2021

GC/JGB/SAR-IV(16.09.2021) 3P 6C