



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 10/11/2021
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.16102 of 2021

Ajithkumar @ Atli

... Petitioner/Accused No.7

Vs

The State rep.by
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District
Cr.No.739 of 2021.

... Respondent/Complainant

For Petitioner : Mr.C.SENTHIL MURUGAN,
Advocate.
For Respondent : Mr.R.MEENAKSHI SUNDARAM,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.739 of 2021 on the file of the Respondent police.

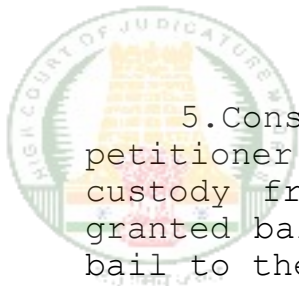
ORDER : The Court made the following order :-

The petitioner/Accused No.7, who was arrested and remanded to judicial custody on 24.09.2021 for the offence punishable under Section 399 IPC, in Crime No.739 of 2021, on the file respondent police, seeks bail.

2.The case of the prosecution is that the respondent police was in routine surveillance, at that time, they found that the petitioner and others have made preparation for committing a dacoity and clouse-7, Monkey cap-7 and two iron rod were recovered from the petitioner and others. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner and others have made preparation for committing a dacoity and clouse-7, Monkey cap-7 and two iron rod were recovered from the petitioner and others.



5.Considering the nature of the offence alleged against the petitioner and also the fact that the petitioner is in judicial custody from 24.09.2021 and that the co-accused has already been granted bail by the Sessions Court, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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.II, Ramanathapuram and on further conditions that;

i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

ii)the petitioner shall report before the respondent police daily at 10.30 a.m for a period of one month and thereafter, as and when required.

iii)the petitioner shall not tamper with evidence or witness.

iv)the petitioner shall not abscond during trial.

v)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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
10/11/2021

/ 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 JUDICIAL MAGISTRATE NO.II
RAMANATHAPURAM

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



3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE
KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT

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

ORDER

IN

CRL OP(MD) No.16102 of 2021

Date :10/11/2021

SA/TR/SAR.2/11.11.2021/3P/6C