



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29.10.2021
PRESENT

WEB COPY

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD)No.16685 of 2021

1.Sivamurungan
2.Archunan

... Petitioners/Accused Nos.2 & 3

Vs

State rep.by its
The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
(Crime No.505 of 2021)

...Respondent/Complainant

For Petitioner : Mr.P.Sureshkumar, Advocate.
For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.505 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

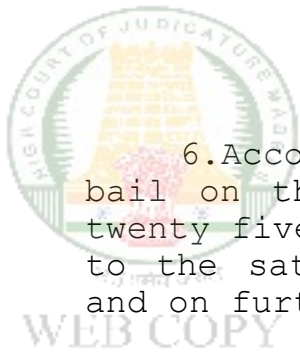
The petitioners/Accused, who were arrested on 23.09.2021 for the alleged offence under Section 399 IPC in Crime No.505 of 2021 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the accused persons were preparing decoity with iron rod and knife. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would also submit that the petitioners are in jail from 23.09.2021 and hence, he seeks for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners are having one previous case.

5.Though the petitioners are having one previous case, considering the period of incarceration, this Court is inclined to grant bail to the petitioners.



6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Karaikudi 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of thirty days and thereafter, as and when required.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/10/2021

/ 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,
KARAIKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARAIKUDI DISTRICT.

<https://hcserv03.mca.gov.in/hcserv03>



3 THE INSPECTOR OF POLICE
KARAIKUDI POLICE STATION, SIVAGANGAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1 CC to Mr.P.SURESH KUMAR, Advocate (SR-7689[I] dated 29/10/2021)

ORDER

IN

CRL OP(MD) No.16685 of 2021

Date :29/10/2021

gns

MK/SKN/SAR.II/29.10.2021/3P/7C