



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

Date : 09.11.2021

PRESENT

WEB COPY

The Hon`ble Mrs.Justice S.ANANTHI
CRL OP(MD) . No.17196 of 2021

Boomirajan

... Petitioner/Accused No.3

Vs

The state represented by
The Inspector of Police,
Theppakulam Police Station,
Madurai City.

CRIME NO.436 OF 2021

... Respondent/Complainant

For Petitioner : Mr.S.Nihar Ali,
Advocate.

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.436 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

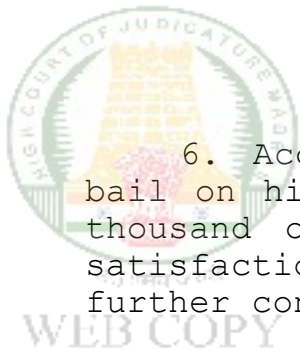
The petitioner, who was arrested on 13.09.2021 for the offence punishable under Sections 392, 397 and 506(ii) of IPC in Crime No.436 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 13.09.2021, at about 05.00 am, the petitioner along with other accused waylaid the defacto complainant and threatened him with knife. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the accused nos.1 and 2 were arrested and released on bail. Hence, he seeks grant of bail for the petitioner.

4. Heard the learned Additional Public Prosecutor appearing for the respondent Police.

5. Considering the period of incarceration and the fact that the co-accused were released on bail, 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.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Madurai 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of 30 days.

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

[d] the petitioner shall not tamper with the 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/-

09/11/2021

/ 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 THE JUDICIAL MAGISTRATE NO.I,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE
THEPPAKULAM POLICE STATION, MADURAI CITY.

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

ORDER

IN

CRL OP(MD) No.17196 of 2021

Date :09/11/2021

mbi

SS/VR/SAR-IV/09.11.2021 : 3P/6C