



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/11/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.17102 of 2021

Krishna Yogeshwaran

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Subramaniapuram Police Station,
Madurai.
(Crime No.507 of 2021).

... Respondent/Complainant

For Petitioner : Mr.B.SENTHIL KUMAR,
Advocate.

For Respondent : Mr.A.THIRUVADI KUMAR,
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.507 of 2021 on the file of the respondent police.

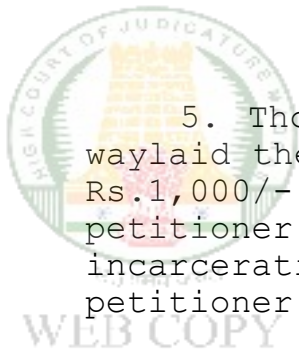
ORDER : The Court made the following order :-

The petitioner/A2, who was arrested on 05.10.2021 for the offence punishable under Sections 392 and 397 IPC in Crime No.507 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and another accused waylaid the defacto complainant, demanded money and robbed a sum of Rs.1,000/- and one mobile phone from the defacto complainant and his friend. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. However, he is inside the prison from 05.10.2021 and hence, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent submits that investigation is not yet completed. He further submits there is no adverse antecedent as against the petitioner.



5. Though the allegation is that the petitioner along with A1 waylaid the defacto complainant, demanded amount and robbed a sum of Rs.1,000/- and one cell phone, considering the fact that the petitioner has no bad antecedent and also the period of incarceration, this Court is inclined to grant bail to this petitioner.

6. Accordingly, this Criminal Original Petition is ordered. The petitioner is directed 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.IV, 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 at 10.30 a.m. until further orders.

[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/-
02/11/2021

/ 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.IV
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
SUBRAMANIAPURAM POLICE STATION,
MADURAI.

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

ORDER

IN

CRL OP(MD) No.17102 of 2021

Date :02/11/2021

SA/VR/SAR.4/02.11.2021/3P/6C