



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

Date : 25/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17801 of 2021

1. Madesh @ Madeshwaran
2. Vicky @ Ramachandran ... Petitioners/Accused 1 & 2

Vs

The state rep.by
The Inspector of Police,
Srirangam Police Station,
Trichy City.
(Crime No.808 of 2021). ... Respondent/Complainant

For Petitioners: M/s.Lenin Kumar.T.,
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.808 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 01.10.2021 for the offence punishable under Sections 392 r/w 397 of IPC, in Crime No.808 of 2021, on the file respondent police, seek bail.

2.The case of the prosecution is that the petitioners and the two other accused attacked the defacto complainant and snatched away his cell phone and ATM Card. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are innocent and a false case has been foisted against them. Hence he prays to grant bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that three previous cases are pending against these petitioners.

5.Considering the facts and circumstances of the case and considering the fact that the property was already recovered and



that the petitioners are in judicial custody from 01.10.2021, this Court is inclined to grant bail to the petitioners with certain conditions.

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 District Munsif Cum Judicial Magistrate, Srirangam, 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 petitioners shall appear before the respondent police daily at 10.30 a.m until further orders.

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

iv) the petitioners 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/-
25/11/2021

/ 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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SRIRANGAM.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.ecourt.gov.in/District>



3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4. THE INSPECTOR OF POLICE,
SRIRANGAM POLICE STATION,
TRICHY CITY.

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

ORDER

IN

CRL OP(MD) No.17801 of 2021

Date :25/11/2021

DSS

MS/VR/SAR-4/25.11.2021/3P.6C