



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

Date : 03.12.2021

PRESENT

WEB COPY

The Hon'ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.18903 of 2021

1. DINESH JATT
2. VINOTH JATT
3. HANUMAN JATT

... PETITIONERS/ACCUSED NO.1-3

VS

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
MUSIRI POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.375 OF 2021).

... RESPONDENT/COMPLAINANT

For Petitioners : M/s.K.M.Karunakaran,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

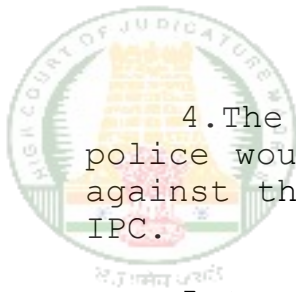
For Bail in Crime No.375 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who were arrested and remanded to judicial custody on 17.09.2021 for the offences punishable under Section 392 IPC in Crime No.375 of 2021 on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 16.09.2021, when the de-facto complainant, who is a Collective Agent of Indian Bank, Musiri, collected money from the bank customers and kept the same in his bag, the petitioners along with other accused have snatched his collection bag with a sum of Rs.28,400/- and Cell phone. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and that they have been falsely implicated in this case. He would further submit that the petitioners are in judicial custody from 17.09.2021.



4.The learned Additional Public Prosecutor for the respondent police would submit that apart from this case, one case is pending against the petitioners for the offence under Sections 457 and 380 IPC.

5.Considering the facts and circumstances of the case and also considering the facts that the petitioners are in judicial custody from 17.09.2021 and that except the case for the offence under Sections 457 and 380 IPC, the petitioners are not having any previous case for similar or serious offence or for any other property offence, prior to the present case, this Court is inclined to grant bail to the petitioners subject to the following 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 (**local sureties**) each for a like sum to the satisfaction of the learned Judicial Magistrate, Musiri.

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 report 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 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].

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

sd/-
03/12/2021

/ 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,
MUSIRI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
MUSIRI POLICE STATION,
TRICHY DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.18903 of 2021
Date :03/12/2021

sj i
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