



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/02/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD). No.219 of 2022

Mathavan

... Petitioner/Accused Rank not known
Vs

The state represented by
The Inspector of Police,
Alangudi Police Station,
Pudukkottai District.
Cr.No.311 of 2010.

... Respondent/Complainant

For Petitioner : Mr.S.Veerapandi selvaraj,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 311 of 2010 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 18.09.2020 for the offences punishable under Sections 399, 400, 401 & 102 IPC in Crime No.311 of 2010 on the file of the respondent police, seeks bail.

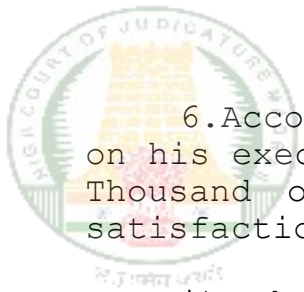
2.The case of the prosecution is that some unknown persons were found in preparation for committing dacoity. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent, that the petitioner's wife has filed HCP (MD)No.527 of 2020, before this Court and vide order dated 09.06.2021, this Court quashed the detention order and that the petitioner is in judicial custody from 18.09.2020. Hence, he seeks bail.

4.The learned Additional Public Prosecutor would submit that the petitioner is having so many previous cases and that the detention order against the petitioner was quashed by this Court.

5.Considering the above facts and circumstances of this case and also the facts that the petitioner is in custody from 18.09.2020 and that the detention order has been quashed by this Court, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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



6. Accordingly, the petitioner is ordered 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, Alangudi.

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 petitioner shall report before the respondent police daily at 10.30 a.m for a period of one month and thereafter as and when required for interrogation;

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

iv) the petitioner 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/-

09/02/2022

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/ /2022

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,
ALANGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE

At the Police Station, PUDUKKOTTAI DISTRICT.



4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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

WEB COPY

ORDER

IN

CRL OP(MD) No.219 of 2022

Date :09/02/2022

SS/JM/SAR-IV/10.02.2022 : 3P/6C