



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.02.2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.3209 of 2022

Rajendran

... Petitioner/Accused No.3

Vs

State represented by
The Sub-Inspector of Police,
Thirumangalam Town,
Madurai District.
(Crime No.27 of 2022)

under Sections 381, 411 and 414 IPC ... Respondent/ Complainant

For Petitioner : Mr.J.Gunaseelanmuthiah,
Advocate.

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

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

PRAYER :-For Bail in Crime No.27 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A.3, who was arrested and remanded to judicial custody on 25.01.2022 for the offences punishable under Sections 381, 411 and 414 IPC, in Crime No.27 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused Nos.1 and 2 had stolen the defacto complainant's company properties worth about Rs.1,23,353/- and the petitioner has concealed the other accused. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.



4.The learned Additional Public Prosecutor would submit that the property has been recovered.

5.Considering the nature of charges levelled against the petitioner and also the facts that the property has been recovered and that the petitioner is not having any bad antecedents, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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, Thirumangalam.

(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., until further orders;

(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 / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
15/02/2022

/ TRUE COPY /

/ /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,
THIRUMANGALAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.

3 THE SUB INSPECTOR OF POLICE
THIRUMANGALAM TOWN, MADURAI DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.

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

ORDER
IN
CRL OP(MD) No.3209 of 2022
Date :15/02/2022

CSM
MK/MS/SAR.I/15.02.2022/3P/6C