



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21.02.2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.3551 of 2022

Anbazhagan ... Petitioner/Accused No.3
Vs.
State represented by
The Sub-Inspector of Police,
Karaiyur Police Station, Pudukkottai District.
(Crime No.215 of 2021. ... Respondent/Complainant

For Petitioner : Mr.B.Sekar, 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.215 of 2021 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 08.11.2021 for the offences punishable under Section 392 IPC, in Crime No.215 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused waylaid the defacto complainant and snatched her gold chain. 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. He would further submit that the petitioner is not having any previous case.

4.The learned Additional Public Prosecutor appearing for the State would submit that the learned Judicial Magistrate has already commenced the trial and examined all the witnesses except the Investigation Officer and the case stand posted to 22.02.2022 for examination of Investigation Officer.

5.Considering the facts and circumstances of the case and also the facts that the petitioner is in judicial custody from 08.11.2021, that the petitioner is not having any previous case for similar offence or for serious offence, 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 District cum Judicial Magistrate, Illupur.

(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 concerned Court till the disposal of the case;

(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/-

21/02/2022

/ TRUE COPY /

21/02/2022

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 DISTRICT CUM JUDICIAL MAGISTRATE, ILLUPUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
PUDUKKOTTAI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
KARAIYUR POLICE STATION, PUDUKKOTTAI DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.3551 of 2022

Date : 21/02/2022

das

<https://hmcjcepgsrb.gov.in/Services/2022/3P/6C>