



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 03/03/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . No. 4155 of 2022

M.Karthikeyan : Petitioner/A3

Vs

The state represented by
The Inspector of Police,
Contonment Police Station,
Trichy City.
(Crime No. 1200 of 2021).

: Respondent/Complainant

For Petitioner : M/s.Subramani.N.,
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.1200 of 2021, on the file of the
respondent police, respectively.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to
judicial custody on 14.12.2021 for the offences punishable under
Sections 394 r/w 397 IPC, in Crime No.1200 of 2021 on the file of
the respondent police, seeks bail.

2.The case of the prosecution is that on 09.12.2021 at about
03.00 am., the petitioner along with other accused waylaid the
defacto complainant and demanded his mobile phone, when the defacto
complainant refused to the same, the petitioner attacked him with
knife and caused injuries and also taken away his mobile phone, ATM
Card, PAN Card, Bluetooth Head Set and also a sum of Rs.1,000/- .
Hence, the complaint.

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

4.The learned Additional Public Prosecutor appearing for the
State would submit that the petitioner is having two previous cases
for similar offence.



5.The learned counsel for the petitioner would submit that the petitioner was falsely implicated in the above three cases, that he was arrested on 10.12.2021, and thereafter, he was implicated in the other two cases and he was formally arrested and then remanded to judicial custody.

6.Considering the nature of the charges levelled against the petitioner and also the fact that the petitioner is in judicial custody from 14.12.2021, this Court is inclined to grant bail to the petitioner.

7.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 No.II, Trichy.

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 rG.H.Police Station, Trichy, 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 thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

03/03/2022

/ TRUE COPY /

04/03/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DAS

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 NO.II,
TIRUCHIRAPPALLI.

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



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
CANTONMENT POLICE STATION, TRICHY CITY

4 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.

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

6 THE INSPECTOR OF POLICE,
G.H.POLICE STATION, TRICHY DISTRICT.

+1. CC to M/S.SUBRAMANI N Advocate SR.No.1668

ORDER
IN
CRL OP(MD) No.4155 of 2022
Date :03/03/2022

SS/SBN/SAR-I/04.03.2022 : 3P/8C