



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/03/2022

PRESENT

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The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). Nos.4176 and 4180 of 2022

1. Ajith @ Vickneswarn,
S/o.Vetrivel @ Udaiyappan,
Ammanpatti, Thiruchuzhi Taluk,
Virudhunagar District..

2. Manivannan,
S/o.Marimuthu,
Mnarakulam @ Kannarpatti,
Kamuthi Taluk,
Ramanathapuram District.

: Petitioners/Accused No.1 & 2.
(in both petitions)

Vs

The Sub Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
(Cr.Nos.121 & 122 /2021).

: Respondent/Complainant
(in both petitions)

(in both petitions)

For Petitioner : M/s.Balaji A,
Advocate.

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

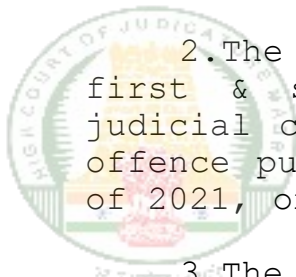
PETITIONS FOR BAIL Under Sec.439 of Cr.P.C.

COMMON PRAYER :-

For Bail in Crime No.121 and 122 of 2021 on the file of the
Respondent Police.

ORDER : The Court made the following common order :-

The petitioners/Accused CRL OP(MD).Nos.4176 of 2022, who were
arrested and remanded to judicial custody on 15.04.2021 for the
offence punishable under Section 392 IPC, in Crime No.121 of 2021,
on the file respondent police, seeks bail.



2.The petitioners/Accused CRL OP(MD).Nos.4180 of 2022, the first & second petitioners who were arrested and remanded to judicial custody on 15.04.2021 and 13.03.2021 respectively for the offence punishable under Sections 392 and 511 IPC, in Crime No.122 of 2021, on the file respondent police, seeks bail.

3.The case of the prosecution (in Crime No.121 of 2021), is that the petitioners along with other accused snatched the cell phone and money from the defacto complainant with knife point on 04.03.2021.Hence the complaint.

4.The case of the prosecution (in Crime No.122 of 2021), is that the petitioners tried to snatch a gold chain from the defacto complainant and assaulted the defacto complainant with sword on 04.03.2021. Hence, the complaint.

5.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution.

6.The learned Additional Public Prosecutor appearing for the State would submit that the petitioners are having previous cases and they were arrested on 15.04.2021 and 13.03.2021 respectively. He would further submit that the charge sheet has already been filed and the case was taken on file in C.C.No.119 of 2021 and C.C.No.159 of 2021 and the same are pending before the learned District Munsif cum Judicial Magistrate, Kamuthi.

7.Considering the facts and circumstances of the case and also facts that the petitioners are in judicial custody from 15.04.2021 and 13.03.2021 respectively, that charge sheet have already been filed and are pending in C.C.No.119 of 2021 and C.C.No.159 of 2021 on the file of the learned District Munsif cum Judicial Magistrate, Kamuthi, this Court is inclined to grant bail to the petitioners subject to the following conditions:

8.Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Kamuthi.

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 stay at Vizhupuram and report before the Vizhupuram Town Police Station daily at 10.30 am for a period of 10 days and thereafter, report before the concerned trial Court on all working days 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 petitioner 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 absconds, a fresh FIR can be
registered under Section 229A IPC.

sd/-
03/03/2022

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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, Kamuthi.
- 2.Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.
- 3.The Superintendent, Central Prison, Madurai.
- 3.The Inspector of Police,
Vizhupuram Town Police Station,
Vizhupuram
- 4.The Sub Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.4176 of 2022
Date :03/03/2022

MGJ/SK/SAR3(03.03.2022) 3P 6C