



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12/04/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.6823 of 2022

B.Kanagaraj

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Mannachanallur Police Station,
Tiruchirappalli District.
Cr.No. 84 of 2022.

... Respondent/Complainant

For Petitioner : M/s.G.Vishnu Ram
for Mr.S.Natarajan,
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.84 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 27.02.2022 for the offences punishable under Sections 392 and 397 of IPC, in Crime No.84 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 27.02.2022 at about 07.00 a.m, when the de-facto complainant was walking near the Ulundankudi Bridge, the petitioner threatened the de-facto complainant with knife and demanded money. When the same was refused by the de-facto complainant, the petitioner pressed a knife on the neck of the de-facto complainant and threatened him and also took a sum of Rs.1200/- from his shirt pocket. Hence, the complaint.

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



4.The learned Additional Public Prosecutor would submit that the petitioner is having eight previous cases, in which, one case for the offence under Section 397 IPC.

5.Considering the nature of the charges levelled against the present petitioner and also taking note of the fact that the petitioner is in judicial custody from 27.02.2022 and also the fact that the investigation might have been completed by this time, 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 No.III, Tiruchirappalli.

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

sd/-

12/04/2022

/ TRUE COPY /

12/04/2022

Sub-Assistant Registrar (C.S-IV)
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 NO.III,
TIRUCHIRAPPALLI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL JAIL, TIRUCHIRAPPALLI.
4. THE INSPECTOR OF POLICE,
MANNACHANALLUR POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6823 of 2022
Date :12/04/2022

sj i
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