



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.7632 of 2022

Baskar

... Petitioner/Accused No.1

Vs

State represented by
The Inspector of Police,
Pudukottai Town Police Station,
Pudukottai District.
(Crime No.126 of 2022).

... Respondent/Complainant

For Petitioner : Mr.S.M.A.Jinnah,
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.126 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A.1, who was arrested and remanded to judicial custody on 21.03.2022 for the offences punishable under Sections 392 and 397 IPC, in Crime No.126 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 19.03.2022 at about 10.15 p.m., the petitioner and other accused went to the bar, in which, the defacto complainant is working as cashier, and demanded liquor, when the bar was closed and thereafter, threatened the defacto complainant with knife and snatched Rs.2,000/- from his shirt pocket. Hence, the complaint.

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



4.The learned Additional Public Prosecutor would submit that property has been recovered and that the petitioner is having three previous cases similar in nature.

5.Considering the above facts and circumstances and also the facts that property has been recovered and that the petitioner is in judicial custody from 21.03.2022, 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.I, Pudukottai.

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

sd/-

25/04/2022

/ TRUE COPY /

25/04/2022

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 NO.I,
PUDUKKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

3 THE INSPECTOR OF POLICE
PUDUKKOTTAI TOWN 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.7632 of 2022

Date :25/04/2022

RS/PN/SAR.3 (22.04.2022) 3P-6C