



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

Date : 05/05/2022

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD) . No.8732 of 2022

Praveenkumar

... Petitioner/Accused No.3

Vs

The State Rep. By,
The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
In Crime No.34/2022.

... Respondent/Complainant

For Petitioner : M/s.Mohan Kumar G,
Advocate.

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.34 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 16.03.2022 for the offences punishable under Sections 363 and 392 of IPC @ 364, 392 r/w 120(b) of IPC in Crime No.34 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein was implicated on the basis of the confession statement of the second accused, who was a driver. As per the averments in the complaint, the Manager had asked the driver to stop the car to attend nature calls, whereas, the confession statement of the second accused states that they had pre-planned the spot as to where the car should be stopped for the purpose of committing the crime. These contradictions in the statement raises doubt. It is stated by the learned Additional Public Prosecutor that the investigation has been completed and the stolen amounts have also been fully recovered.

3.After considering all these factors, this Court is of the view that the petitioner deserves to be released on bail.



4. 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, Thirumangalam.

(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]***.

sd/-
05/05/2022

/ TRUE COPY /

05/05/2022
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,
THIRUMANGALAM.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE OFFICER-INCHARGE,
MADURAI DISTRICT.

<https://hcservices.hc.madras.gov.in/CaseDetails>



4. THE INSPECTOR OF POLICE,
THIRUMANGALAM TALUK POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.G.MOHAN KUMAR, Advocate (SR-4307[I] dated 05/05/2022)

ORDER

IN

CRL OP(MD) No.8732 of 2022

Date :05/05/2022

sjl/lm

USK/GSV/SAR-III/05.05.2022/3P/7C