



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

Date : 11/05/2022

PRESENT

WEB COPY

**The Hon`ble Mr.Justice M.DHANDAPANI**

CRL OP(MD) . No.8988 of 2022

1.Ganesan  
2.Muneeshwarar  
3.Kannan  
4.Chinnamuthu

... Petitioners/Accused No.1 to 4

Vs

The State represented by,  
The Inspector of Police,  
Thanjavur Taluk Police Station,  
Thanjavur District.  
(Crime No.243 of 2022).

... Respondent/Complainant

For Petitioners: Mr.G.Thalaimutharasu,  
Advocate.

For Respondent : Mr.A.Thiruvadi Kumar,  
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.243 of 2022 on the file of the Respondent Police.

**ORDER :** The Court made the following order :-

The petitioners/A1 to A4, who were arrested and remanded to judicial custody on 12.04.2022 for the offences punishable under Sections 399 IPC altered into Sections 399 and 420 IPC, in Crime No.243 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners and other accused were preparing to commit dacoity with deadly weapons. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. Based on the false information, the above case was foisted against the petitioners. He would further submit that the fifth accused was already released on bail by this Court in CrI.O.P. (MD)No.8801 of 2022 dated 05.05.2022, hence he seeks bail.



4.The learned Additional Public Prosecutor would submit that the petitioners are not having any previous cases and he did not dispute the fact that A5 was released on bail by this Court.

5.Considering the above facts and circumstances and also the fact that the petitioners are not having any previous cases and also the fact that there is no monetary transactions between the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Thanjavur.

(a)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners shall not abscond either during investigation or trial;

(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

11/05/2022

/ TRUE COPY /

11/05/2022

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 NO.II,  
THANJAVUR.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,  
THANJAVUR TALUK POLICE STATION,  
THANJAVUR DISTRICT.
4. THE SUPERINTENDENT,  
CENTRAL PRISON, TRICHY.
5. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate ( SR-4591[I] dated  
11/05/2022 )

ORDER  
IN  
CRL OP(MD) No.8988 of 2022  
Date :11/05/2022

csm/aav  
USK/PN/SAR-IV/11.05.2022/3P/7C