



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

Date : 18/05/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

WEB COPY

CRL OP(MD). No.9170 of 2022

Thachanamoorthis

... Petitioner/Accused No.5

Vs

The State rep.by
The Inspector of Police,
Thatchanallur Crime Police Station,
Tirunelveli.
Crime No.178 of 2018.

... Respondent/Complainant

For Petitioner : M/s.NARAYANAKUMAR.K.P., Advocate.

For Respondent : Mr.M.SAKTHI KUMAR,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.178 of 2018 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.5, who was arrested and remanded judicial custody on 27.04.2022 for the offences punishable under Sections 394 @ 395 of IPC, in Crime No.178 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with the other accused have waylaid the defacto complainant's car and also snatched two cell phones. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case.

4.The learned Government Advocate(Crl.side) appearing for the respondent submits that the investigation is almost completed and also submits co-accused has already been arrested and thereafter, released on bail.

5.The petitioner is the fifth accused and investigation is almost completed with regard to the petitioner and the petitioner is in custody from 27.04.2022.

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.IV, Tirunelveli.



(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 on every Wednesday at 10.30 a.m., for a period of two months 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/-
18/05/2022

/ TRUE COPY /

18/05/2022
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.IV, TIRUNELVELI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3.THE SUPERINTENDENT, CENTRAL JAIL, PALAYAMKOTTAI.

4.THE INSPECTOR OF POLICE,
THATCHANALLUR CRIME POLICE STATION, TIRUNELVELI.

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

+1cc to MR.K.P.NARAYANA KUMAR,Advocate, SR.No.4684 DATED:18.05.2022

ORDER IN

CRL OP(MD) No.9170 of 2022

Date :18/05/2022

SA/SVR/SAR.2/18.05.2022/2P/7C

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