



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

Date : 18/05/2022

PRESENT

WEB COPY

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

CRL OP(MD) . No.9179 of 2022

1. Justin Chirsthuraaj,

2. Sethupathi,

... Petitioners/Accused Nos.1 & 2

Vs

The State Rep by,
The Inspector of Police,
Palakarai Police Station,
Trichy City.

(Crime No.363/2022)..

... Respondent/Complainant

For Petitioner : MR.K.M.Karunakaran, 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.363 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.1 and 2, who were arrested and remanded judicial custody on 17.04.2022 for the offences punishable under Sections 392 and r/w 397 of IPC, in Crime No.363 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners along with the other accused have waylaid the defacto complainant and robbed a sum of Rs.3,000/-from his shirt pocket.

3.The learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners have been falsely implicated in this case.



4.The learned Government Advocate(Crl.side) appearing for the respondent submits that investigation has almost completed and also submits that 7 previous cases are pending against the first petitioner and 3 previous cases are pending against the second petitioner.

5.The investigation is almost completed with regard to the petitioners and the petitioners are in custody from 17.04.2022.

6.Considering the bad antecedents of the first petitioner, this Court is not inclined to grant bail to the first petitioner and this Criminal Original Petition is dismissed as far as the first petitioner is concerned.

7. Insofar as the second petitioner is concerned, this Court is inclined to grant anticipatory bail to the second petitioner.

8.Accordingly, the second 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.5, Tiruchirapalli.

(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 second petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two months and thereafter as and when required for interrogation;

(iii)the second petitioner shall not tamper with evidence or witness;

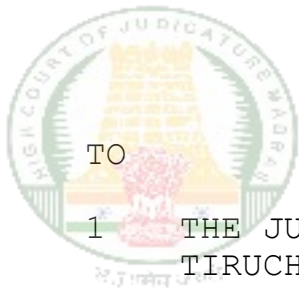
(iv)the second petitioner shall not abscond during trial;

(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.



TO

1 THE JUDICIAL MAGISTRATE NO.V,
TIRUCHIRAPPALLI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE
PALAKARAI POLICE STATION,
TRICHY CITY.

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

ORDER
IN
CRL OP(MD) No.9179 of 2022
Date :18/05/2022

PKP/SVR/SAR-2/18.05.2022/3P/6C