



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2022

WEB COPY

PRESENT

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

CRL OP(MD) . No.9269 of 2022

RAJESH @ VELLAIYAN, ... PETITIONER/ACCUSED NO.3

VS

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION, (CRIME)
MADURAI CITY,
(CRIME NO. 311 OF 2022.) ... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.MANAVALAN K,
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. 311 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ third Accused, who was arrested and remanded judicial custody on 17.04.2022 for the offences punishable under Sections 394 and 397 of IPC, in Crime No.311 of 2022, 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 son and snatched a mobile phone worth about Rs.10,000/- from him at the knife point and also assaultd him.

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.

5.The petitioner is the third accused and investigation is almost completed with regard to the petitioner and the petitioner is in custody from 17.04.2022.

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 II, Madurai.

(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 three 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.

TTA

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,
MADURAI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4.THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION, (CRIME)
MADURAI CITY.

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

+1cc to MR.K.MANAVALAN,Advocate, SR.No.4690 DATED:18.05.2022

ORDER
IN

CRL OP(MD) No.9269 of 2022
Date : 18/05/2022

GC/SKN/SAR-2(18.05.2022) 3P 7C