



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.9348 of 2022

Maharajan,

... Petitioner/Accused No.3

Vs

THE STATE REP BY,
The Inspector of Police,
Manur Police Station,
Tirunveli District
(Crime No. 101 of 2022).

... Respondent/Complainant

For Petitioner : M/s. Sivananthan.T,
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. 101 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who was arrested and remanded judicial custody on 10.04.2022 for the offences punishable under Sections 394 and 397 of IPC, 1860 in Crime No.101 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 and had robbed a sum of Rs.1,500/- at knife point and also attacked him with stone.

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



4.The learned Government Advocate(Crl.side) appearing for the respondent submits that investigation is almost completed and also submits that no previous case is pending against this petitioner.

5.The petitioner is the third accused and investigation is almost completed with regard to the petitioner and the petitioner is in custody from 10.04.2022.

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.V, 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 daily 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.V
TIRUNELVELI .

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE
MANUR POLICE STATION,
TIRUNVELI DISTRICT.

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

+1. CC to M/S. SIVANANTHAN.T Advocate SR.No.23718(F)

ORDER
IN
CRL OP(MD) No.9348 of 2022
Date :18/05/2022

PKP/JM/SAR-2/18.05.2022/3P/7C