



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

Date : 13/06/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.9966 of 2022

Sasikumar

... Petitioner/Petitioner/
Accused Rank Not Known

Vs

The State Rep. By,
The Inspector of Police,
Koodankulam Police Station,
Koodankulam,
Tirunelveli District.
Crime No. 92 of 2022.

... Respondent/Respondent/
Complainant

For Petitioner : M/s.Palani Velayutham S,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.92 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 25.03.2022 for the offences punishable under Sections 341 and 394 of IPC @ 341 and 395 of IPC, in Crime No.92 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the other accused persons joined together, followed the de-facto complainant and snatched her gold chain and a sum of Rs.30,000/-. Hence, the complaint.

3.No doubt, the petitioner's earlier application was dismissed by this Court vide order dated 11.05.2022.

4.The learned counsel for the petitioner would submit that though the other accused are having previous cases, the same was not reported and they are released on bail by this Court.



5.The learned Government Advocate (Crl. side) would submit that A1, A4 and A5 were already granted bail by this Court. He would further submit that the property was already recovered.

6.Considering the above facts and circumstances and also taking note of the facts that the petitioner is in judicial custody from 25.03.2022 and that co-accused were already granted bail by this Court, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.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 cum Munsif, Radhapuram, Tirunelveli District.

(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., until further orders;

(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]***.

(vi)If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
13/06/2022

/ TRUE COPY /

13/06/2022
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 CUM MUNSIF,
RADHAPURAM, TIRUNELVELI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
KODANKULAM POLICE STATION,
KODANKULAM,
TIRUNELVELI DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
5. THE OFFICER-INCHARGE,
SUB-JAIL, NANGUNERI,
TIRUNELVELI DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.PALANIVELAYUTHAM, Advocate (SR-5443[I] dated
13/06/2022)

ORDER
IN
CRL OP(MD) No.9966 of 2022
Date :13/06/2022

sj i
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