



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

Date : 08/06/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.10056 of 2022

Jeeva @ Jeevanantham

... Petitioner/Accused

Vs

State represented by
The Inspector of Police,
Kulithalai Police Station,
Karur District.
(Crime No.676 of 2021).

... Respondent/Complainant

For Petitioner : Mr.P.Ganapathi Subramanian,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.676 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 19.07.2021 for the offences punishable under Sections 427, 392 and 397 of IPC, in Crime No.676 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with the other accused threatened the defacto complainant and also snatched one sovereign of gold ring and HMT Watch from him. Hence, the complaint.

3.The learned counsel for the petitioner submitted that he is an innocent and he has not committed any offence as alleged by the prosecution and that he has been falsely implicated in the above case. He further submitted that this Court in H.C.P.No.240 of 2022 by order dated 01.04.2022 has quashed the detention order.



4.The learned Government Advocate (Criminal Side) would submit that the investigation has already been completed and charge sheet has been filed before the concerned Magistrate Court.

5.Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 19.07.2021 and that the investigation has been completed and charge sheet has been filed as stated by the learned Government Advocate, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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.II, Kulithalai.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Sessions Judge/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 Sessions Judge/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 Sessions Judge/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 thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
08/06/2022

/ TRUE COPY /

08/06/2022
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



TO

1. THE JUDICIAL MAGISTRATE NO.II,
KULITHALAI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
3. THE INSPECTOR OF POLICE,
KULITHALAI POLICE STATION,
KARUR DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10056 of 2022
Date :08/06/2022

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USK/VR/SAR-I/08.06.2022/3P/6C