



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

Date : 15/06/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD). No.10611 of 2022

Dhanush,
S/o.Subramanian,
No.5/11-41a, Paraiyadi
Padmanabhapuram Colony,
Arikesavanallur,
Tirunelveli District.

... Petitioner/Accused

Vs

The State Rep.by
The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
Cr.No.100/22.

... Respondent/Complainant

For Petitioner : M/s.Sathya Chidambaram S,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

PRAYER :-

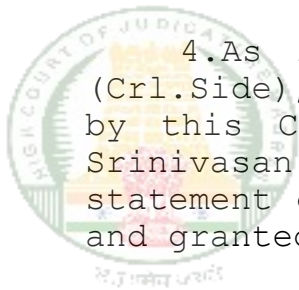
For Bail in Crime No.100 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A7, who was arrested and remanded to judicial custody on 12.04.2022 for the offences punishable under Section 394 IPC @ into Section 397 IPC, in Crime No.100 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 waylaid the de-facto complainant and snatched the bag containing the jewels worth about Rs.94,00,000/- and a sum of Rs.75,000/- by showing deadly weapons. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is a college student, aged about 18 years, that he was falsely implicated in the above case and that the co-accused was already granted anticipatory bail by this Court.



4.As rightly pointed out by the learned Government Advocate (Crl.Side), the co-accused Srinivasan was granted anticipatory bail by this Court, but this Court has observed that the co-accused Srinivasan was not involved in the occurrence and the confession statement does not implicate the involvement of the said Srinivasan and granted anticipatory bail.

5.The learned Government Advocate (Crl. side) would submit that a portion of the properties was recovered and some of the properties are not yet recovered.

6.Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 12.04.2022, that the petitioner is not having any previous case for similar or serious offence or for any other property offence and also taking note of the age of the petitioner, 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, Cheranmahadevi, 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/-

15/06/2022

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. The Judicial Magistrate,
Cheranmahadevi, Tirunelveli District.
2. Do-Through The Chief Judicial Magistrate,
Tirunelveli District.
3. The Superintendent,
Central Prison, Palayamkottai.
4. The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/s.S.Sathiya Chidambaram, Advocate (SR.No.5683)

CRL OP (MD) No.10611 of 2022

Date :15/06/2022

MGJ(15.06.2022)/VR/SAR I 3P 7C