



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2022

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.10678 of 2022

Mithun @ Aravind

... Petitioner/Accused No.2

Vs

The State rep.by,
The Inspector of Police,
Palakarai Police Station,
Trichy District.
Crime No.438/2022.

... Respondent/Complainant

For Petitioner : Mr.G.Kandhavadivelan,
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.438 of 2022 on the file of the Respondent police.

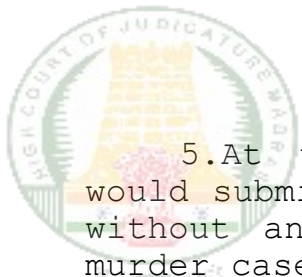
ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 03.05.2022 for the alleged offence under Section 392 r/w 397 of IPC, in Crime No.438 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 03.05.2012, at about, 03.30 p.m, the defacto complainant was walking on the road, the accused persons demanded Rs.3,000/-. When that was refused, he was criminally intimidated and also tried to assault him and Rs.2,000/- was robbed from him. On the basis of the above said complaint, case has been registered .

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner is involved in 3 previous cases. Among which, one is Section 302 IPC offence in Crime No.786 of 2020.



5. At this juncture, the learned counsel for the petitioner would submit that this is a put up case foisted upon the petitioner without any ground and bail was also granted in the above said murder case.

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6. The learned Government Advocate (Crl.Side) would submit that after came out of bail, again he has committed the offence. Not only that. He is also involved in 307 IPC offence in Crime No.78 of 2021.

7. Considering the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner at this stage, since he is in custody from 03.05.2022, which is more than the statutory period.

8. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Trichirappalli, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

08/07/2022

/ TRUE COPY /

18/07/2022

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

TO

1 THE JUDICIAL MAGISTRATE NO.V, TRICHIRAPPALLI.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY..

4 THE INSPECTOR OF POLICE
PALAKARAI POLICE STATION, TRICHY DISTRICT.

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

ORDER

IN

CRL OP(MD) No.10678 of 2022

Date :08/07/2022

DSS

<https://www.mhjudiciary.org.in> I/18.07.2022/2P/6C