



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

Date : 17/06/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.10743 of 2022

Manikandan

... Petitioner/Accused No.4

Vs

State Rep.by
The Inspector of Police,
Anna Nagar Police Station,
Madurai District
(Crime No.259 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Dhilipan Pandian R L, 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.259 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

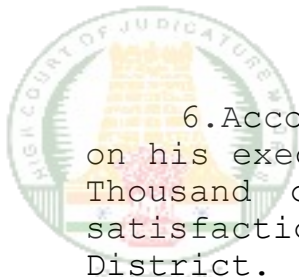
The petitioner/A.4, who was arrested and remanded to judicial custody on 31.05.2022 for the offences punishable under Sections 294 (b), 392, 397 and 506(ii) of IPC, in Crime No.259 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 31.05.2022 at about 06.30 p.m., the petitioner and other accused abused the de-facto complainant in filthy language and also committed robbery of Rs.1000/- at knife point and beer bottle from him. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner is having one previous case under 307 IPC.

5.Considering the above facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 31.05.2022 and also the fact that the petitioner is not having any previous case for similar offence or for any other property offence, 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.VI, Madurai 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/-

17/06/2022

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17/06/2022

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

TO

1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI DISTRICT.

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

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE, ANNA NAGAR POLICE STATION,
MADURAI DISTRICT.

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

ORDER IN

CRL OP(MD) No.10743 of 2022

Date : 17/06/2022

RS/VR/SAR.1 (17.06.2022) 2P-6C