



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Dated: 27/06/2022

PRESENT

**The Hon'ble Mr.Justice G.ILANGO VAN**

**Crl.OP(MD)No.10803 of 2022**

Usman Ali

... Petitioner/Sole Accused

**Vs.**

State through  
The Inspector of Police,  
Fort Police Station,  
Trichy District.  
(Crime No.861 of 2022)

... Respondent/Complainant

For Petitioner : Mr.R.ALAGUMANI, Advocate

For Respondent : Mr.THANGA ARAVINDH.B  
Government Advocate  
(Criminal side)

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

**PRAYER :-** For Bail in Crime No.861 of 2022 on the file of the Respondent Police.

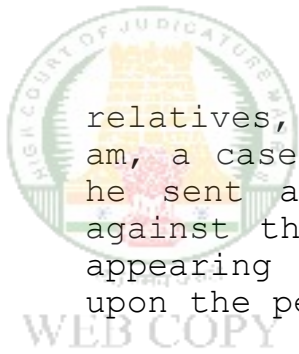
**ORDER :** The Court made the following order:-

The petitioner, who is arrayed as sole accused was arrested on 06/06/2022 and remanded to judicial custody for the alleged offences punishable under sections 392 IPC r/w 397 and 506(ii) IPC, in Crime No.861 of 2022, seeks bail.

2.The case of the prosecution is that on 06/06/2022, when the de-facto complainant was returning to his shop, the accused, who was well known to him demanded Rs.1,000/-, but he refused to give money. On hearing this refusal, the accused person tried to assault him with knife by pressing the knife in his neck. He robbed Rs.2,000/- from him. When the neighbours gathered in that area, the accused fled away from that place. So on the basis of the complaint, the case was registered and the petitioner has been arrested and remanded to custody.

3.Heard both sides.

4.The learned counsel appearing for the petitioner, by filing the additional typed set of papers, would submit that on 06/06/2022 at about 9.00 am, when one Karunakaran, the Special Team Sub Inspector of Police, directed the petitioner to attend the police station in connection with money transaction between himself and one Arul Murugan. But later, he did not return. So along with his



relatives, he went to the police station. He was told that at 11.00 am, a case was registered against him. Setting out the above facts, he sent a representation to various authorities, seeking action against the police officials. So according to the learned counsel appearing for the petitioner, it is totally a false case foisted upon the petitioner.

5.The learned Government Advocate (Criminal side) would submit that only based upon the above said incident of robbery, the case was registered against the petitioner and the defence that was placed now is not correct. He would further submit that number of cases are pending against the petitioner. But further particulars are not available.

6.But it has been brought to the notice of this court that another case in Crime No.858 of 2022 was registered against one Arul Murugan. On the very same day, as if that person also committed robbery of the de-facto complainant. So the learned counsel appearing for the petitioner would submit that because of the money dispute between the accused person and some other persons, they were called for enquiry, but this case has been foisted. No doubt that the petitioner is having a good antecedent.

7.So considering the duration of the custody of the petitioner, finding that most portion of the investigation might have been over by this time, this court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 Judicial Magistrate No.1, Trichy and on further condition that the petitioner shall stay at Pudukottai and report before the Judicial Magistrate No.1, Pudukottai daily at 10.30 am until further orders. If there is any violation of the above condition, the bail granted to the petitioner shall stand cancelled automatically without reference to this court.

sd/-  
27/06/2022

/ TRUE COPY /

/ /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 NO.I  
TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY DISTRICT.
- 3 THE SUPERINTENDENT  
CENTRAL PRISON, TRICHY DISTRICT.
- 4 THE INSPECTOR OF POLICE,  
FORT POLICE STATION,  
TRICHY DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

**COPY TO:**

- 1 THE JUDICIAL MAGISTRATE NO.I  
PUDUKOTTAI.
  - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKOTTAI DISTRICT.
- +1. CC to M/S.ALAGUMANI.R Advocate SR.No.6213

**ORDER**

**IN**

CRL OP (MD) No.10803 of 2022  
Date :27/06/2022

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SA/SVR/SAR.1/27.06.2022/3P/9C