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CRL OP(MD). N



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17768 of 2022

Balachandran

... Petitioner/Accused No.6

Vs

State Rep.by  
The Inspector of Police,  
District Crime Branch Police Station,  
Thanjavur District  
(Crime No.23 of 2022).

... Respondent/Complainant

For Petitioner : Mr.T.A.Ebenezer,Advocate.

For Respondent : Mr.Nambi Selvan  
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.23 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.6, who was arrested and remanded to judicial custody on 13.08.2022 for the offences punishable under Sections 120(B), 406, 409 and 381 in Crime No.23 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and other accused have stolen articles from Canteen illegal. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case, on the basis of the confession given by the accused Nos.1 to 5. The accused in this case have been released on bail.



4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that the investigation is almost completed. A2 and A7 in this case were released on bail.

5.Considering the above and also the nature of the charges levelled against the petitioner and also the fact that co-accused in this case were released on bail, this Court is inclined to grant bail to the petitioner with certain 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.I, Thanjavur, and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation.

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond either during investigation or trial.

[f]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]**.

sd/-  
06/10/2022

/ TRUE COPY /

06/10/2022  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

pnn/gbg

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,  
THANJAVUR.

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE  
DISTRICT CRIME BRANCH POLICE STATION,  
THANJAVUR DISTRICT.

4 THE SUPERINTENDENT  
CENTRAL PRISON, TRICHY.

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

+1 CC to M/s.T.A.EBENEZER, Advocate ( SR-10990[I] dated 06/10/2022 )

ORDER

IN

CRL OP(MD) No.17768 of 2022

Date :06/10/2022

PKP/SVR/SAR-4/06.10.2022/3P/7C