



WEB COPY

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.17929 of 2022

Ravikumar

...Petitioner/Accused No.5

Vs

State Rep.by
The Inspector of Police,
Panaiyapatti Police Station,
Pudukkottai District.
(Crime No.125 of 2002).

... Respondent/Complainant

For Petitioner : Mr.B.Anandan , Advocate.

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl side)

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

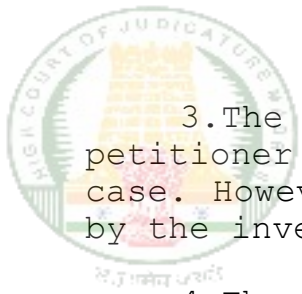
PRAYER :-

For Bail in Crime No.125 of 2002 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.5, who was arrested and remanded to judicial custody on 25.08.2022 for the offences punishable under Section 397 IPC in Crime No.125 of 2002, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was an accused in a theft case and charge sheet was filed against 12 persons including the petitioner, before the Learned Judicial Magistrate, Thirumayam and the same was taken on file in P.R.C.No.29 of 2003. Later, the petitioner went abroad in the year 2004. A non-bailable warrant was issued in the year 2005. When the petitioner came back to India on 24.08.2022, he was secured and remanded to judicial custody.



3.The learned counsel for the petitioner would submit the petitioner is innocent and he has been falsely implicated in this case. However, he would further submit that his passport was seized by the investigating authorities.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that all other accused were secured.

5.Considering the above and also the nature of the charges levelled against the petitioner and also the fact that the petitioner's passport was already seized, 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, Thirumayam, 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 on every Monday at 10.30 a.m., failing which the bail now granted will automatically stand cancelled;

[c] the petitioner should not leave India untill the disposal of the case;

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

[e]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.

<https://www.mhc.tn.gov.in/judis>



TO

1 THE JUDICIAL MAGISTRATE,
THIRUMAYAM.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
PANAIYAPATTI POLICE STATION,
PUDUKKOTTAI DISTRICT.

4 THE OFFICER INCHARGE
SUB JAIL,
THIRUMAYAM.

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

+1 CC to M/s.B.ANANDAN, Advocate (SR-11004[I] dated 06/10/2022)

ORDER

IN

CRL OP(MD) No.17929 of 2022

Date :06/10/2022

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