



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/10/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.18856 of 2022

1. Lakshmi Narayanan
2. Manikandan

... Petitioners/Accused Nos.1 & 2

Vs

The State rep.by,
The Inspector of Police,
Vallathirakottai Police Station,
Pudukottai District.
(Crime No.74/2022).

... Respondent/Complainant

For Petitioner : M/s.Jameelarasu B, Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.74/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who were arrested and remanded to judicial custody on 24.08.2022 for the offences punishable under Sections 457 and 395 IPC @ 457, 395 and 120(b) of IPC, in crime No.74 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 30.07.2022, the petitioners along with other accused trespassed into the de-facto complainant's house and had stolen jewelry and also gave a life threat to the de-facto complainant. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution and they are in judicial custody from 26.10.2021 and hence he may be granted bail.

4.The learned Additional Public Prosecutor strongly opposed this petition stating that this is the petitioners' second bail application and the earlier application was dismissed by this Court, dated 07.10.2022 in Crl.O.P.(MD)No.18007 of 2022. He would further submit that the first petitioner is having three previous cases and the second petitioner is having five previous cases and the



5.Considering the facts and circumstances of the case so considering the period of incarceration, this Court is inclined to grant bail to the petitioners on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pudukkottai.

(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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

20/10/2022

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20/10/2022

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

TO

1 THE JUDICIAL MAGISTRATE, PUDUKOTTAI.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE SUPERINTENDENT,

CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE

VALLATHIRAKOTTAI POLICE STATION, PUDUKOTTAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.18856 of 2022

Date :20/10/2022

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