



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

Date : 12/01/2023

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD). No.585 of 2023

Ramsh @ Ramesh

... Petitioner/Accused No.1

Vs

The State Rep. by,
The Inspector of Police,
Srirangam Police Station,
Trichy District.
(In Crime No.1471 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Yamuna.R,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

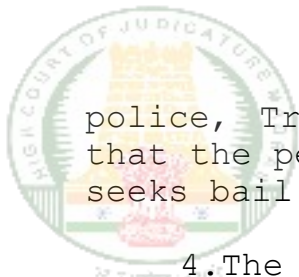
For Bail in Crime No.1471 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1 who was arrested and remanded to judicial custody on 13.12.2022 for the offence punishable under Sections 392 r/w.397 of IPC in Crime No.1471 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner at knife point threatened the defacto complainant and taken away Rs.540/- from the shirt pocket of the defacto complainant. Hence the present case came to be registered.

3.The learned counsel appearing for the petitioner would submit that this is the second bail application and the earlier application was dismissed by this Court on 28.12.2022. He would further submit that due to enmity a false complaint was given by the defacto complainant and after the intervention of the elders in the family a settlement has been arrived at and the defacto complainant has also agreed to give a representation to the Commissioner of



police, Trichy to withdraw the complaint. He would further state that the petitioner is in judicial custody from 13.12.2022, hence he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the defacto complainant has given complaint stating that the petitioner at knife point had threatened the defacto complainant and taken away Rs.540/- from the shirt pocket. Further the defacto complainant has given representation to the Commissioner of Police, Trichy seeking to withdraw the complaint.

5.Heard. Perused the materials available on record including the First Information Report.

6.Taking into consideration of the facts and circumstances of the case and also considering the fact the defacto complainant has also given a letter to the Commissioner of Police, Trichy seeking to withdraw the complaint, this Court is inclined to grant bail to the petitioner.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 learned Judicial Magistrate, Srirangam, Trichy District and on further conditions that:

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioner shall report before the respondent police daily at 10.30 A.M., for a period of one week and thereafter on every Saturday at 10.30 am., until further orders.

[d] the petitioner shall not commit any offences of similar nature.

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

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

[g] On breach of any of the aforesaid conditions, the learned Judicial 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



[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
12/01/2023

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12/01/2023

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

AAV

TO

1. THE JUDICIAL MAGISTRATE,
SRIRANGAM, TRICHY DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
SRIRANGAM POLICE STATION,
TRICHY DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.YAMUNA.R, Advocate (SR-711[I] dated 12/01/2023)

ORDER
IN
CRL OP(MD) No.585 of 2023
Date :12/01/2023

USK/SSS/SAR- /12.01.2023/3P/7C