



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP (MD) . No.4442 of 2023

1. Amarjothi
2. Karthick

... Petitioners/Accused Nos.2 & 3

Vs

The state rep.by
The Inspector of Police,
Ammayanaikanur Police Station,
Dindigul District.
(Crime No.27/2023).

... Respondent/Complainant

For Petitioners : M/s.Vashik Ali S,
Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.27/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

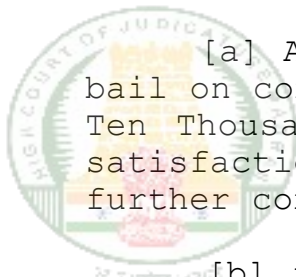
The petitioners /A2 and A3 who were arrested and remanded to judicial custody on 14.02.2023 for the offence under section 387 of IPC in Crime No.27 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that petitioners at knife point had taken the cell phone of the defacto complainant.

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

4. The property has not been recovered from the petitioners.

5. Considering the nature of offence committed by the petitioners and also the period of incarceration, this court is inclined to grant bail to the petitioners , subject to the following conditions:



[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Ten Thousand only) each with sureties each for a like sum to the satisfaction of the learned Judicial Magistrata Nilakottai 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 petitioners shall respond to police for daily at 0.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

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

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

[f] the petitioners 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 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].

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

sd/-

08/03/2023

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08/03/2023

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

TO

- 1 The Judicial Magistrate, Nilakottai
- 2 Do through the Chief Judicial Magistrate, Dindigul District.
- 3 THE INSPECTOR OF POLICE
AMMAYANAikanur POLICE STATION,
DINDIGUL DISTRICT.
- 4 The officer incharge, Sub Jail, vedasandur.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.VASHIK ALI S Advocate SR.No.3630.

ORDER

IN

CRL OP(MD) No.4442 of 2023

Date :08/03/2023