



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/03/2023

WEB COPY

PRESENT

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

CRL OP(MD) . No.5122 of 2023

1. Muthukrishnan,

2. Suresh @ Sujith, ... Petitioners/Accused Nos. 1 & 2

Vs

State Rep.by

The Inspector of Police,

Suthamali Police Station,

Crime No. 5 of 2023

Tirunelveli.

... Respondent/Complainant

For Petitioners : M/s.Senthil Kumaraiah J, Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor (Crl.Side)

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

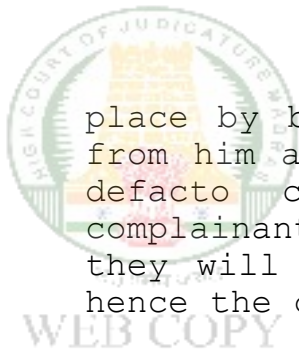
PRAYER :-

For Bail in Crime No. 5 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners /A1 and A2 who were arrested and remanded to judicial custody on 24.01.2023 for the offences under sections 363,395 and 420 of IPC in Crime No.5 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that on 22.12.2022 accused persons called the defacto complainant through phone and sexually talked with him. Thereafter they called the complainant to the place and abducted him in the vehicle to the isolated



place by beating him and snatched away Rs.20,000/- gold from him and also transferred Rs.80,000/- from the account of the defacto complainant. They have also threatened the defacto complainant not to reveal the matter to anybody and he do the same they will be post the obscene photos of him in the social media, hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report.

4. Taking into consideration of the facts and submissions made by the learned counsels 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/- (Rupees Ten Thousand only)each with two blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Cheranmahadevi 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 stay at Namakkal and report before Namakkal Police Station daily at 10.30 a.m., and 5.30 pm., for a period of four weeks and thereafter before the respondent police for a further 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/-
17/03/2023

WEB COPY

/ TRUE COPY /

17/03/2023

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

AAV

TO

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

COPY TO

THE INSPECTOR OF POLICE
NAMAKKAL POLICE STATION, NAMAKKAL.

+1 CC to M/s.SENTHIL KUMARIAH.J, Advocate (SR-4475[I] dated
17/03/2023)

ORDER
IN
CRL OP(MD) No.5122 of 2023
Date :17/03/2023

PKP/MMS/SAR- /17.03.2023/ **3P/8C**