



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

Date : 24/03/2023

PRESENT

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

CRL OP(MD) . No.5460 of 2023

1. Pandi @ Arumugapandi
2. Ananth Prakash

... Petitioners/Accused

Vs

The State rep. by,
The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
Cr.No.48/2023.

... Respondent/Complainant

For Petitioners : M/s.Karthick R.J.,
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. 48/2023 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 17.02.2023 for the offences under sections 448,342,364(A) and 384 of IPC in Crime No.48 of 2023 on the file of the respondent police seek bail.

2. The case of the prosecution is that on 22.01.2023 at about 00.30 hrs the accused persons trespassed into the house of the defacto complainant and demanded Rs.10,00,00,000/- from the defacto complainant and her husband. During that time both of them informed that they have no money. So the accused had obtained signature of the defacto complainant in blank papers and gave poison to her and husband. Subsequent to that when the defacto complainant opened her eyes she found that she was in Suchindram along with her husband in their car.



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

4. Taking into consideration 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate NoII, Nagercoil 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 report before the respondent police daily at 10.30 A.M. for a period of two 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/-
24/03/2023

/ TRUE COPY /

24/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. The Judicial Magistrate NoII, Nagercoil.
2. Do through the Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.
3. The Officer In-Charge, Sub Jail, Nagercoil.
4. The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.5460 of 2023
Date : 24/03/2023

NA/SBN/SAR/24.03.2023/3P/6C