



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/04/2023
PRESENT

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

CRL OP(MD) . No.7183 of 2023

Santhosh @ Santhosh Kumar ... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.
(Crime No.89/2023).

... Respondent/Complainant

For Petitioner : M/s.VEERAKUMAR.T,
Advocate.

For Respondent : Mr.R.M.ANBUNITHI,
Additional Public Prosecutor

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

PRAYER :- For Bail in Cr No.89/2023 on the file of the respondent police.

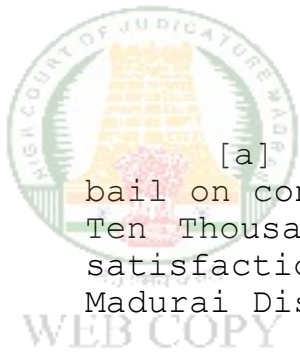
ORDER : The Court made the following order :-

The petitioner /sole accused who was arrested and remanded to judicial custody on 10.03.2023 for the offences under sections 406 and 420 of IPC in Crime No.89 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner without the knowledge of the defcto complainant had withdrawn a sum of Rs.5,79,000/- from the pension account of the defacto complainant through ATM card on various dates, hence the case.

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

4. It is seen that the petitioner is residing in the ground floor of the defacto complainant's house and there was a dispute with regard to the landlord and tenant. 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 petitioner , subject to the following conditions:



[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, Thirumangalam, Madurai 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. and 5.30P.M., for a period of four weeks and thereafter as and when required for interrogation.

[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 SCW 5560].

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

sd/-

19/04/2023

/ TRUE COPY /

19/04/2023

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

AAV

TO

1 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



3 THE OFFICER INCHARGE,
SUB JAIL, THIRUMANGALAM,
MADURAI DISTRICT.

4 THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.VEERAKUMAR.T Advocate SR.No.6071

ORDER

IN

CRL OP(MD) No.7183 of 2023

Date :19/04/2023

SA/SSS/SAR. /19.04.2023/3P/7C