



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

Date : 21/04/2023

PRESENT

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

CRL OP(MD) . No.7493 of 2023

Thothal @ Muthu Selvam ... Petitioner / Sole Accused

Vs

The Inspector of Police,
Thirupachethi Police Station,
Sivagangai District.
(Crime No. 39 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Karuppiyah.G, 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. 39 of 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 15.03.2023 for the offences under sections 392,397 and 506(ii) of IPC in Crime No.39 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 15.03.2023 at about 6.30 pm., the petitioner robbed a sum of Rs.1000/- from the shirt pocket of the defacto complainant showing deadly weapons and also threatened him with dire consequences, hence the case.

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

4. The petitioner was arrested on 15.03.2023 and on the date of when he was released in another case this case was put up as against him. The petitioner involved in seven previous cases. In the consideration of the facts and submissions made by the



learned counsels and also the period of incarceration this 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 blood related sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruppuvanam Sivagangai 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 stay at Dharapuram and report before the Dharapuram Police Station daily at 10.30 a.m., and 5.30 pm., for a period of four weeks and thereafter report before the respondent police daily at 10.30 A.M. 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 SCW 5560].

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

sd/-
21/04/2023

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21/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

<https://www.mhc.tn.gov.in/judis>



To

1.The Judicial Magistrate,
Thiruppuvanam, Sivagangai District.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
Thirupachethi Police Station,
Sivagangai District.

4.The Officer Incharge,
District Jail,
Ramanathapuram.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Inspector of Police,
Dharapuram Police Station,
Coimbatore District.

+1 CC to M/s.MOHAN.A, Advocate (SR-6310[I] dated 21/04/2023)

ORDER

IN

CRL OP(MD) No.7493 of 2023

Date :21/04/2023

ED/SSS/SAR- (21/04/2023) 3P 8C