



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/05/2023

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

CRL OP(MD) . No.9393 of 2023

Prasath @ Blue Prasath

... Petitioner/Accused No.7

Vs

State represented by
The Inspector of Police,
Mandapam Police Station,
Ramanathapuram District.
In Cr.No.9/2023.

... Respondent/Complainant

For Petitioner : M/s.S.Chellamani
Advocate.

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

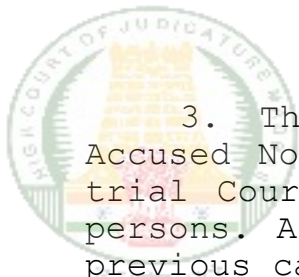
For Bail in Crime No.9/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / A7 who was arrested and remanded to judicial custody on 24.04.2023 for the offences under sections 387 of IPC @ 395, 120(b), 355 of IPC in Crime No.9 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner and other accused persons attacked the defacto complainant and demanded money. They also snatched 1 1/2 sovereign gold chain and a silver ring from the defacto complainant. The accused persons recorded a video of the defacto complainant and demanded money from him by showing the

<https://www.mca.gov.in>



3. The learned Additional Public Prosecutor submit at Accused Nos.2,3,5 and 8 were arrested and released on bail by the trial Court. The properties have been recovered from the accused persons. Accused Nos.1,4 and 6 are still absconding. There is one previous case against the petitioner herein.

4. Heard both sides. Perused the materials available on record including the First Information Report.

5. Taking into consideration of the facts and submissions made by the learned counsels and the period of incarceration and also taking note of the fact that the co-accused Nos.2,3,5 and 6 were already released on bail, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Rameshwaram, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the respondent police daily twice at 10.30 a.m., and 5.00 p.m., for a period of one month and thereafter as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned 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 is 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].

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

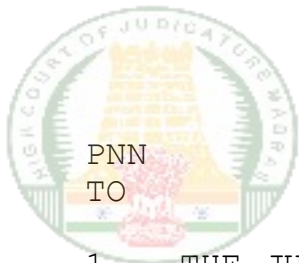
sd/-

24/05/2023

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24/05/2023

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



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- 1 THE JUDICIAL MAGISTRATE,
RAMESHWARAM.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
MANDAPAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE OFFICER INCHARGE
DISTRICT PRISON, RAMANATHAPURAM
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.CHELLAMANI, Advocate (SR-7798[I] dated 24/05/2023)

ORDER
IN
CRL OP(MD) No.9393 of 2023
Date :24/05/2023

PKP/ /SAR- /24.05.2023/ **3P/7C**