



WEB COPY

CRL OP(MD)



23

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

Date : 02.06.2023

PRESENT

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

CRL OP(MD)No.9434 of 2023

1.Prabhakaran

2.Ramesh

... Petitioners 2 & 3 / Accused Rank Not Known

Vs

The State rep by
The Inspector of Police,
Avudiyarkoil Police Station,
Pudhukottai District.
(Crime No.62 of 2023)

... Respondent / Complainant

For Petitioners : Mr.M.Rajarajan, 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.62 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners /A2 & A3, who were arrested and remanded to judicial custody on 20.04.2023 for the offences under sections 457, 392, 397 IPC in Crime No.62 of 2023 on the file of the respondent police seek bail.

2.The case of the prosecution is that on 20.04.2023, at about 02.30 am., when the defacto complainant was with his wife in his house, the accused persons came there and threatened them and also took thali chain weighing 20 sovereigns. Hence the case.

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



4.It is seen that there are three accused persons. The petitioners are arrayed as A2 and A3. It is a case of chain snatching weighing 20 sovereigns. After arrest, the chain was also recovered.

5.Taking into consideration of the facts 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 (blood related sureties) each for a like sum to the satisfaction of the learned Judicial Magistrate, Aranthangi 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 Madurai and report before the Inspector of Police, Thallakulam Police Station, for a period of two weeks and thereafter, report before the respondent police daily at 10.30 A.M. until further orders.

[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/-
02/06/2023

/ TRUE COPY /

02/06/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



- 1 THE JUDICIAL MAGISTRATE,
ARANTHANGI.
- 2 THE CHIEF JUDICIAL MAGISTRATE
PUDUKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
AVUDIAYARKOIL POLICE STATION,
PUDHUKOTTAI DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT JAIL, PUDHUKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

The Inspector of Police,
Thallakulam Police Station,
Madurai.

+1 CC to M/s.M.RAJARAJAN, Advocate (SR-7969[I] dated 02/06/2023)

ORDER

IN

CRL OP(MD) No.9434 of 2023

Date :02/06/2023

MK/SSS/SAR /02.06.2023 **3P 8C**