



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

Date : 09/06/2023

PRESENT

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

CRL OP(MD). No.10129 of 2023

WEB COPY

Nagaraja Gokulapandian

... Petitioner/Accused No.5

Vs

State Rep.by
The Inspector of Police,
Kottampatti Police Station,
Madurai District.
Crime No.129 of 2023.

... Respondent/Complainant

For Petitioner : M/s.Chandrabose M, Advocate.

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

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

PRAYER :-

For Bail in Crime No.129 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

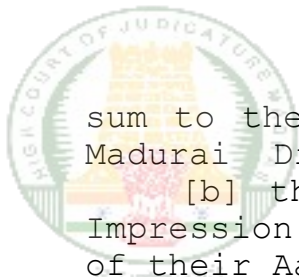
The petitioner/A5, who was arrested and remanded to judicial custody on 14.04.2023 for the offence under Sections 406, 419 and 420 IPC of I.P.C., in Crime No. 129 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1 to A5 have conspired together and accordingly A4 and A5 have impersonated themselves as police constables and intercepted the vehicle belonging to the defacto complainant and taken away a sum of Rs.50 Lakhs along with cellphone. Hence, the complaint.

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 and also the fact that A1 to A4 were released on bail and also the fact that stolen amount has been recovered, 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 blood related sureties each for a like



sum to the satisfaction of the learned Judicial Magistrate, 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/-

09/06/2023

/ TRUE COPY /

09/06/2023

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

AAV

TO

- 1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE, KOTTAMPATTI POLICE STATION, MADURAI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.CHANDRABOSE, Advocate (SR-8475[I] dated 09/06/2023)

ORDER IN

CRL OP(MD) No.10129 of 2023

Date :09/06/2023

RS/SSS/SAR-(09.06.2023) 2P 7C