



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 16/06/2023
PRESENT

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

CRL OP(MD) . No.10652 of 2023

Vigneshwaran,

... Petitioner/Accused 2

Vs

The State rep.by
The Inspector of Police,
Thallakulam Police Station,
Madurai District.
In Crime No.548 of 2023.

... Respondent/Complainant

For Petitioner : M/s.DINESH K,
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.548 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /A2 who was arrested and remanded to judicial custody on 21.05.2023 for the offence under sections 392 r/w. 397 and 506(ii) of IPC in Crime No.548 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner along with other accused had robbed a sum of Rs.3000/- from the defacto complainant at knife point, hence the case.

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 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 No.II, Madurai 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 is also directed to deposit a sum of Rs.10,000/- to the credit in crime number 548 of 2023 on the file of the respondent police before the concerned Magistrate and on such deposit the learned Magistrate shall accept the sureties furnished by the petitioner.

[d] the petitioner shall stay at Virudhunagar and report before the Virudhunagar Town Police station daily at 10.30 a.m., and 5.30 pm., for a period of four weeks and thereafter before the respondent police daily at 10.30 am., until further orders. Further after coming out from prison within two days the petitioner shall also file an undertaking affidavit before the respondent police that he will not indulge in similar type of activities again and if the petitioner violates the said undertaking the respondent is at liberty to secure the petitioner and proceed in accordance with law.

[e] the petitioner shall not commit any offences of similar nature.

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

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

[h] 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].

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

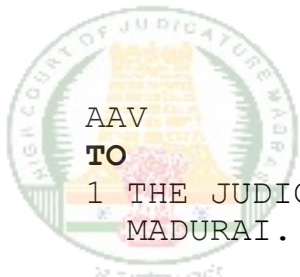
sd/-

16/06/2023

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16/06/2023

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



AAV

TO

**1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.**

**2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.**

**3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.**

**4 THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION,
MADURAI DISTRICT.**

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

COPY TO:

THE INSPECTOR OF POLICE,
VIRUDHUNAGAR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

+ 1 CC TO M/s.DINESH K, ADVOCATE IN SR No.9008 DT.19/06/2023

ORDER

IN

CRL OP(MD) No.10652 of 2023

Date :16/06/2023

SA/VR/SAR. /16.06.2023/3P/8C