



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2023

PRESENT

WEB COPY

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

CRL OP (MD) . No.11619 of 2023

Manikandan, ... Petitioner/Accused No.1

Vs

The State Rep.by
The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
(Crime No.331 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Balakarthick S,
Advocate.

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

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

PRAYER :-

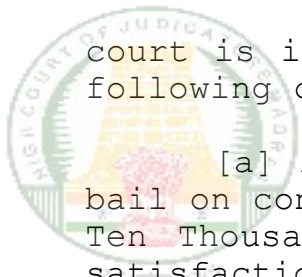
To enlarge the petitioners on bail in connection with the case in CC No.45 of 2023 in Crime No.331 of 2022 on the file of the learned Judicial Magistrate No.I, Sivakasi, Virudhunagar District
ORDER : The Court made the following order :-

The petitioner /A1 who was arrested and remanded to judicial custody on 10.02.2023 for the offences under sections 454,457 and 380 of IPC in Crime No.331 of 2022 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner/accused entered into the house of the defacto complainant and committed theft of gold ornaments worth about Rs.12,62,500/-, hence the case.

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

<https://www.mhc.tn.gov.in/judis>
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.I, Sivakasi 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., 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/-
30/06/2023

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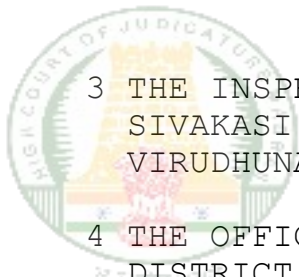
30/06/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.I, SIVAKASI

2 DO THROUGH

THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR



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

4 THE OFFICER IN CHARGE,
DISTRICT JAIL,
VIRUDHUNAGAR.

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



ORDER
IN
CRL OP(MD) No.11619 of 2023
Date :30/06/2023

MGJ(30.06.2023) 3P 6C