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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2023

PRESENT

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

CRL OP(MD). No.12034 of 2023

Lilly

... Petitioner/Sole Accused

Vs

The State represented by,
The Inspector of Police,
Pattukokottai Town Police Station,
Thanjavur District.
Crime No.315 of 2023.

... Respondent/Complainant

For Petitioner : Mr.S.S.Sundarapandian
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. 315/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / sole accused, who was arrested and remanded to judicial custody on 14.04.2023 for the offence under Section 379 of I.P.C in Crime No.315 of 2023 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 14.04.2023, the defacto complainant with his brother and friend went to Pattukkottai Bus stop and boarded near Pattukkottai Clock tower due to heavy crowd area some person have taken money from the defacto complainant from his shirt pocket Rs.300/- and the defacto complainant had seen this incident and caught the person red handed and taken to the respondent police. Hence, the complaint.

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



4. Taking into consideration of the facts and submissions made by the learned counsels and also taking into consideration the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

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[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 local two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukkottai 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., 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/-

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30/06/2023

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

ps

TO



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
PATTUKKOTTAI TOWN POLICE STATION, THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
SPECIAL PRISON FOR WOMEN, TRICHY.

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

+1 CC to M/s.S.S.SUNDARAPANDIAN, Advocate (SR-9971[I] dated
30/06/2023)

ORDER

IN

CRL OP(MD) No.12034 of 2023

Date :30/06/2023

SS/30/06/2023/3P/7C