



CRL OP(MD). No.13737 of 2023

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

Date : 19/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN  
CRL OP(MD). No.13737 of 2023

Rama @ Ramprasad

... Petitioner / Accused No.4

Vs

The Inspector of Police,  
Cantonment Police Station  
Trichy District.  
(Crime No.2005/2022.)

... Respondent / Complainant

For Petitioner : M/s. Alagumani.R, Advocate.  
For Respondent : Mr.B.Nambiselvan,  
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.2005/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.4 herein, who was arrested on 22.12.2022 for the alleged offence under Sections 392 r/w 397 of IPC, 1860, in Crime No.2005 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner is a resident of Rajasthan. He came down to Tamilnadu for coolie works.



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On 22.12.2022, the petitioner along with other accused persons restrained the defacto complainant and threatened him with knife and robbed Rs.2,000/-. Hence the present case came to be registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution. She has been falsely implicated in this case. Hence, she seeks for the relief of bail.

4. Heard the learned Additional Public Prosecutor and the learned counsel for the petitioner.

5. On 08.08.2023, this Court had granted interim bail to the petitioner and directed the petitioner to undergo medical examination for the purpose of assessing his age. Now, medical examination is over and in the medical report it has been stated that the petitioner has crossed the age of 18 years. The fact was disputed by the learned counsel for the petitioner by stating that the petitioner is a juvenile. Learned Additional Public Prosecutor was directed to serve a copy of the report to the learned counsel for the petitioner, so that the petitioner can challenge the same in the manner known to law. On that account, the matter was listed today.

6. Learned counsel for the petitioner would submit that eventhough earlier, interim bail was granted to the petitioner, the petitioner was in jail in some other case. Hence the petitioner could not comply the direction of this Court.



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7. Considering the facts and circumstances of this case and also considering the period of incarceration, this Court is inclined to grant relief to the petitioner. Ofcourse, the conditions must be complied by the petitioner.

8. Accordingly, this Criminal Original Petition is allowed and the interim bail granted to the petitioner is made absolute. The petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two local sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Trichy District, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-  
19/09/2023

/ TRUE COPY /

19/09/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

PNN

To

1.The Judicial Magistrate No.II, Trichy District.

2.Do through the Chief Judicial Magistrate,  
Trichy District.

3.The Inspector of Police,  
Cantonment Police Station,  
Trichy District.

<https://www.hmc.tn.gov.in/judis>



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4.The Superintendent,  
Central Prison,  
Trichy.

5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1CC to M/s.R.ALAGUMANI, Advocate, SR-13850(I), dated 19.09.2023

ORDER  
IN  
CRL OP(MD) No.13737 of 2023  
Date :19/09/2023

ED/ /SAR- (19/09/2023) 4P / 7C

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