



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14448 of 2023

Akbar Ali

... Petitioner/ Accused No.9

Vs

The State represented by
The Sub Inspector of Police,
Town South Police Station,
Dindigul District.
Crime No. 165/2023.

... Respondent/Complainant

For Petitioner : M/s.Jinnah.S.M.A,
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. 165 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/ Accused No.9 herein, who were arrested on 26.07.2023 for the



alleged offence under Sections 399 and 402 of IPC, in Crime No.165 of 2023 on the file
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of the respondent police, seeks bail.

2. The case of the prosecution is that on 26.07.2023, at about 1.30 p.m, on receiving secret information from the informer, the respondent police along with the other police officials, went to the Vedapatti graveyard and they found that the petitioner along with the other accused persons conspired themselves and making preparation for committing dacoity with the knife, wooden logs, ropes and phones. On seeing the police party they tried to escape from the place and the police party surrounded and arrested them. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in custody from 26.07.2023. Hence, prays for bail.

4. The learned Additional Public Prosecutor (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused persons conspired themselves and making preparation for committing dacoity with the knife, wooden logs, ropes and phone. He further submitted that the petitioner is having four previous cases.



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5. The learned counsel for the petitioner submitted that in two cases, he was acquitted and in other cases, he has been granted bail.

6 .Considering the facts and circumstances of the case and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with stringent conditions.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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.III, Dindigul, and on further conditions that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
21/08/2023

/ TRUE COPY /

21/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

TO

1 THE JUDICIAL MAGISTRATE NO.III
DINDIGUL.



WIBBDO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL.

4 THE SUB INSPECTOR OF POLICE
TOWN SOUTH POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.S.M.A.JINNAH, Advocate (SR-12533[I] dated 21/08/2023)

ORDER

IN

CRL OP(MD) No.14448 of 2023

Date :21/08/2023

SS/21/08/2023/4P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023