



CRL OP(MD)No.421 of 2024

WEB COPY

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

Date : 10/01/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD)No.421 of 2024

1.Manikandan @ Mani

2.Karthick Raja @ Karthick

... Petitioners / Accused Nos.2 & 3

Vs

The Inspector of Police,
Mathichiyam Police Station,
Madurai.
(Crime No.787/2023).

... Respondent / Complainant

For Petitioners : Mr.K.Dinesh, 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.787 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 & A3, who were arrested and remanded to judicial



CRL OP(MD)No.421 of 2024

custody on 10.12.2023 for the offence punishable under Sections 392, 397 and 506 (ii)

WEB COPY

IPC in Crime No.787 of 2023, on the file of the respondent Police, seek bail.

2.The case of the prosecution is that on 10.12.2023 at about 1.00 A.M., the defacto complainant was standing in front of his shop at Gandhi Nagar and at that time, the petitioners along with the other accused persons threatened the defacto complainant and demanded an amount of Rs.1,000/- by showing knife. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in the case. He would further submit that the petitioner was arrested and remanded to judicial custody on 10.12.2023 and this Court granted bail to the co-accused. Hence, he prayed for bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that A2 is having 11 previous cases and A3 is having two previous cases and hence, he opposed to grant bail to the petitioners.

5.Heard the learned counsel on either side.

6.Considering the facts and circumstances of the case and period of incarceration suffered by the petitioners and also considering the fact that this Court granted bail to the co-accused, this Court is inclined to grant bail to the petitioners, subject to the



following conditions:

WEB COPY

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.2, Madurai and on further conditions that:

(a) 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;

(b) the petitioners shall appear before the respondent police daily at 05.00 P.M, until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



CRL OP(MD)No.421 of 2024

Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

WEB COPY

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
10/01/2024

/ TRUE COPY /

10/01/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

To

- 1.The Judicial Magistrate No.II,
Madurai.
- 2.Do through the Chief Judicial Magistrate,
Madurai District.
- 3.The Inspector of Police,
Mathichiyam Police Station,
Madurai.
- 4.The Superintendent,
Central Prison, Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD)No.421 of 2024

ORDER

IN

CRL OP(MD) No.421 of 2024

Date :10/01/2024

ED/ /SAR- (10/01/2024) 5P / 6C

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