



CRL OP(MD).No.4168 of 2024

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

Date : 15/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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Sanjeevi

... Petitioner / Sole Accused

Vs

The Inspector of Police,
Thogur Police Station,
Thanjavur District.
(Crime No.136/2023)

... Respondent/Complainant

For Petitioner : Mr.A.Sivasubramanian, 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.136/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 07.08.2023 for the offence punishable under Sections 294(b), 506(ii) and 392 IPC and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act,



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1992, in Crime No.136 of 2023 on the file of the respondent Police, seeks bail.

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2. The case of the prosecution is that on 04.08.2023, the petitioner abused the defacto complainant, who is the conductor of a private bus, in filthy language and threatened him with dire consequences and robbed a sum of Rs.5,186/- from the defacto complainant's bag and damaged the front glass of the bus, worth about Rs.20,500/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 07.08.2023. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that 14 previous cases are pending against the petitioner and the petitioner damaged the front glass of the bus and snatched a sum of Rs.5,186/- from the defacto complainant. Hence, he vehemently opposed for grant of bail.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and the fact that the petitioner is in judicial custody for more than six months, this court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his



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executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two

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sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate,

Thiruvaiyaru, 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 petitioner is directed to appear before the respondent police daily at 10.30 a.m., until further orders;

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

(d) the petitioner 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 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]; and;



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

sd/-
15/03/2024

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15/03/2024
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

To

- 1.The Judicial Magistrate,
Thiruvaiyaru.
- 2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
- 3.The Inspector of Police,
Thogur Police Station,
Thanjavur District.
- 4.The Superintendent,
Central Prison,
Trichy.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.4168 of 2024
Date :15/03/2024



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ED/ /SAR- (15/03/2024) 5P / 6C

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