



CRL OP(MD). No.12363 of 2024

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

Date : 01/08/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.12363 of 2024

Rokith,

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
Samayapuram Police Station,
Trichy District.
Crime No. 203/2024.

... Respondent/Complainant

For Petitioner : P. Surliraja,
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. 203 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioner/Accused, who was arrested and remanded to judicial custody on 28.06.2024 for the offence punishable under Section 392 of IPC, in crime No.203 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused snatched a cell phone from the defacto complainant and fled away from the scene of occurrence in a bike. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocents and he has not committed any offence as mentioned in the FIR. He would further submit that the property was recovered and the petitioner is in judicial custody from 28.06.2024 and hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage and the petitioner is having 1 previous case in similar nature. But, however, he fairly conceded that the property was recovered from the accused.

5.Considering the period of incarceration and also considering the fact that the property was recovered from the accused, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is



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ordered to be released on bail, on executing a 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, Trichy District.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].



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vi) If the accused thereafter abscond, a fresh FIR can be registered under

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Section 229A IPC.

sd/-
01/08/2024

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01/08/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate No.III,
Trichy District..
2. Do-Through:
The Chief Judicial Magistrate,
Trichy District.
3. The Superintendent,
Central Jail,
Trichy.
4. The Inspector of Police,
Samayapuram Police Station,
Trichy District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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



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+1 CC to M/s.P.SURLIRAJA, Advocate (SR-9145[I] dated 01/08/2024)

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ORDER
IN
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Date : 01/08/2024

SL(01.08.2024)/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.