

IN THE COURT OF VACATION SESSIONS JUDGE, DINDIGUL

**PRESENT: Selvi. M.K. Jamuna, M.L.,
Vacation Sessions Judge, Dindigul.**

Thursday, the 27th day of May 2021

CrI.M.P. No.1868/2021

Ajithkumar, 24/2021
S/o. Murugesan

.. Petitioner/A2

/vs/

State through
Inspector of Police, Nilakottai PS.
Cr. No.216/2021

.. Respondent/Complainant

This bail petition is coming on this day for hearing before me in the presence of Thiru.R.Vijayakumar, Advocate for the petitioner and of Thiru. R.Manoharan, Public Prosecutor for the state are on record and on considering the online submissions of either side and on perusal of available records, this court passed the following

ORDER

Petition filed u/s. 439 Cr.P.C. Petitioner/A2 prays to enlarge him on bail for the offence punishable U/S. 379 IPC in Cr. No.216/2021 of respondent police. The occurrence took place on 24.3.2021 and the A2 was remanded on 23.4.2021.

The learned counsel for the petitioner/A2 stated that according to the prosecution, the accused committed theft of cash Rs.1,50,000/-, that the petitioner/A2 is working as driver and belongs to respectable family, that he has not committed any offence as alleged, that he has been falsely implicated in this case with ulterior motive, that the petitioner has permanent abode and there is no chance for absconding, that the investigation of the case might have been completed at this point of time, that the petitioner was remanded on 23.4.2021 and they are in custody for the past 35 days.

The learned Public Prosecutor for the State has vehemently raised objection for bail by stating that the accused committed theft of cash Rs.1,50,000/- from the defacto complainant.

Online submission of either side heard. Records perused. The case of the prosecution was that on 24.3.2021 at about 1.30 p.m., when the defacto complainant has in a possession of Rs.1,50,000/- and waited before the State Bank of India, Nilakottai, one person introduced himself as he is Vinoth, when the defacto complainant show the money, at that instance immediately, Vinoth introduced Ajithkumar, Nagarajan and Balamurugan as his relatives, that the defacto complainant

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asked them to pay the amount into the bank and get back the mortgaged jewels, but, Vinoth said that he already asked and knew that they received money only after launch time is over, in the mean time, the defacto complainant handed over the money bag to the accused and went to bath room, when he came back, he do not find Vinoth and 3 others. The learned Public Prosecutor stated that only Rs.40,000/- recovered from the accused. Considering the facts and circumstances of the case and also considering the incarceration and on considering the prevention measure of COVID-19 Pandemic and the urgent need and necessity to ensure social distancing, this Court inclines to grant bail to the petitioner/A2 with stringent condition. Bail is granted to the petitioner/A2 on strict compliance of the following conditions.

1. The petitioner/A2 is ordered to be released on bail on executing his own bond for a sum of Rs.1,000/- before Superintendent of Prison concerned.
2. The petitioner/A2 is directed to surrender before the learned Judicial Magistrate, Nilakottai **in between the period from 19.7.2021 to 2.8.2021** and execute him own bond for a sum of Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Magistrate concerned without fail, failing which the bail shall stands cancelled automatically.
3. The petitioner/A2 shall make himself available for interrogation by the police officer as and when required.
4. The petitioner/A2 shall not tamper with evidence or witness either during investigation or trial.
5. The petitioner/A2 shall not abscond either during investigation or trial.

Pronounced by me, this the 27th day of May 2021.

Sd/- M.K.Jamuna
Vacation Sessions Judge,
Dindigul

- Since this bail order is electronically generated, does not require signature and court seal.
- This order is available in E-Courts Official Web Site,
" <https://districts.ecourts.gov.in/case status/case number>"

Copy to

The Judicial Magistrate, Nilakottai
The Public Prosecutor, Dindigul.

The Inspector of Police, Nilakottai PS.,

To ensure social distancing, they are requested to
download the order from the official web site link.

Thiru.R.Vijayakumar, Advocate
for the petitioner.

The Superintendent, Central Prison, Madurai.