

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, DINDIGUL

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

Thursday, the 12th day of August 2021

**CrI.M.P. No.2480/2021
CNR No.TNDG01-003728-2021**

1. Mohamathu Fazhil, 20/2021
S/o. Sulaiman
 2. Karthik, 21/2021
S/o. Murugan
- : Petitioners/ A1 and A2

/vs/

State through
Inspector of Police, Palani Taluk PS., : Respondent/Complainant
Cr. No. 637/2021

This e-bail petition is coming on this day for hearing before me in the presence of Thiru.L.Kathiravan, Advocate for the petitioners and of Thiru. R.Manoharan, Public Prosecutor for the state 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. petitioners/A1 and A2 pray to enlarge them on bail for the offences punishable U/S. 392 IPC @ 392, 397 IPC. in Cr. No.637/2021 of respondent police. The occurrence took place on 13.7.2021 and they were remanded on the same day.

The learned counsel for the petitioners/A1 and A2 stated that there is no nexus between the petitioners and the alleged occurrence, that this false complaint has been foisted against the petitioners for statistical purpose, that the injured was discharged from the hospital, that the alleged property has been recovered, that the petitioner is ready to abide any condition imposed by this Hon'ble Court, that the petitioner has permanent abode, hence there is no chance for absconding, that the petitioners were remanded on 13.7.2021 and they are in custody for the past 33 days and prays for bail.

The learned Public Prosecutor for the State vehemently raised objection for bail that on 13.7.2021 at about 2.30 p.m., while the defacto complainant was returning to home after completion of his work in his bike near Sukkamanaickenpatti, the accused wrongfully restrained him on the point of knife, and extorted his cell phone worth about Rs.10,000/- and fled away, hence the case.

.2.

Online submission of either side heard. Records perused. The case was registered against the accused U/S. 392 IPC @ 392, 397 IPC. The learned counsel for the petitioner/A1 and A2 stated that the petitioners have not committed any offence, this false complaint has been foisted against the petitioners for statistical purpose, that the injured was discharged from the hospital, that the alleged property has been recovered, that they have no previous case, that they are in custody for the past 33 days and prays for bail. The learned Public Prosecutor conceded that the properties have been recovered and no previous case is pending against the petitioners/A1 and A2. Considering the facts that the properties have been recovered and no previous case is pending against the petitioners/A1 and A2 and on considering the period of incarceration and on considering the facts and circumstances of the case, this Court inclines to allow the petition with condition. Bail is granted to the petitioners/A1 and A2 on strict compliance of the following conditions.

1. The petitioners/A1 and A2 are ordered to be released on bail on executing their own bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Palani.
2. The petitioners/A1 and A2 are directed to appear and sign before the respondent police station daily at 10.00 a.m. until further orders.
3. The petitioners/A1 and A2 shall make themselves available for interrogation by the police officer as and when required.
4. The petitioners/A1 and A2 shall not tamper with evidence or witness either during investigation or trial.
5. The petitioners/A1 and A2 shall not abscond either during investigation or trial.

Pronounced by me, this the 12th day of August 2021.

**Principal Sessions Judge,
Dindigul**

- Since this order is electronically generated, and issued with digital Signature.
- This order is available in E-Courts Official Web Site,
["https://districts.ecourts.gov.in/case status/case number"](https://districts.ecourts.gov.in/case status/case number)

Copy to
The Judicial Magistrate, Palani
The Public Prosecutor, Dindigul.

The Inspector of Police, Palani Taluk PS.,

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

Thiru.L.Kathiravan, Advocate
for the petitioners.