



CRL OP(MD). No.21089 of 2023

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

Date : 15/12/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM
CRL OP(MD). No.21089 of 2023

1. S.Daniel Prakash

2. P.Manthira Moorthi

... Petitioners / Accused No.2 & 3

Vs

The Inspector of Police,
Courtrallam Police Station,
Tenkasi District.
(Crime No.353/2023.)

... Respondent/Complainant

For Petitioners : Mr.R.Mohanasundaram, Advocate.

For Respondent : Mr.R.M.S.Sethuraman, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No.353/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A2 and A3 who were arrested and remanded to judicial custody on 20.10.2023 for the alleged offences punishable under Sections 457,380 of IPC in Crime No.353 of 2023, on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 14.10.2023 the accused persons broke open the house of the defacto complainant and had stolen 60 sovereigns of gold jewels and computer parts. Hence the case.



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3.The learned counsel appearing for the petitioners would contend that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in custody from 20.10.2023, hence he seek bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the accused persons broke open the house of the defacto complainant and had stolen 60 sovereigns of gold jewels and computer parts, hence he objected to grant bail to the petitioners. However he fairly concedes that the petitioners are having similar previous cases and A1 is still absconding.

5.Considering the facts and circumstances of the case and also the fact that the petitioners are having previous cases and also the fact one of the accused is yet to be arrested, this Court is not inclined to grant bail to the petitioners.

6. Hence the petition stands dismissed.

sd/-
15/12/2023

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

AAV



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1.The Inspector of Police,
Courtallam Police Station,
Tenkasi District.

2.The Officer Incharge,
Sub Jail,
Nagercoil.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date :15/12/2023

ED/ JGB /SAR- (29/12/2023) 3P / 4C

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