



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

Tuesday, the Eighteenth day of August Two Thousand Fifteen

WEB COPY

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15913 of 2015

1 C. NAMBIRAJ

2 VARATHARAJ

..PETITIONERS/ACCUSED 1 AND 2

Vs.

THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION,
KARUR DISTRICT.

(CRIME NO. 417 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioners : M/S.K.VINAYAGAN Advocate

For Respondent : MRS.S.PRABHA,

Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2 in Crime No.417 of 2015 on the file of the respondent police, was arrested on 17.07.2015 for the alleged offences punishable under Section 379 of I.P.C., and hence, seek bail.

2. According to the de-facto complainant, when he was travelling in a bus from Tiruchirapalli to Coimbatore, the accused have committed theft of Rs.5 lakhs.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case and only on the confession, they are arrested.

4. The learned Government Advocate (Crl.side) vehemently opposed the granting of bail to the petitioners stating that the respondent police has recovered Rs.4,10,000/- from the first accused and he is involved in four previous cases in the years 2005, 2006 and 2012. It is further submitted that the second petitioner is implicated based on the confession of the first accused and he has no bad antecedents.



5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the second petitioner with certain conditions and in respect of the first petitioner, this petition is dismissed. Accordingly, the second petitioner is ordered to be released on bail on his 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.II, Kulithalai and on further condition that the second petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.

sd/-
18/08/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.II
KULITHALAI.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
KARUR

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION,
KARUR DISTRICT.

5 THE OFFICER-IN-CHARGE,
SUB-JAIL, KULITHALAI.

+1. CC to M/S.K.VINAYAGAN Advocate SR.No.47925

Akm/19.08.2015 /2p-7c/

ORDER
IN
CRL OP (MD) No.15913 of 2015
Date :18/08/2015