



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

Tuesday, the Eighth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17365 of 2015

MANIKANDAN

... PETITIONER / ACCUSED NO.5

Vs

STATE :THE INSPECTOR OF POLICE
VANNIAMPATTI POLICE STATION
SIVAGANGAI DISTRICT
(CRIME NO.162 OF 2014)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S V.KANNAN Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

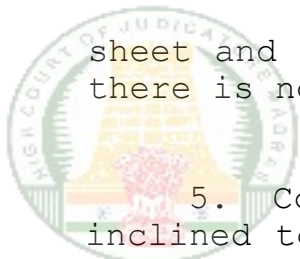
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.5, in Crime No.162 of 2014 on the file of the respondent police, was arrested on 03.02.2015 for the alleged offences punishable under Sections 458, 395, 397, 411, 414 and 109 of I.P.C., and hence, seeks bail.

2. According to the prosecution, that on 07.09.2014, the accused 1 to 5 has trespassed into the house of the de-facto complainant and at knife point, taken away jewels worth Rs.4,50,000.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely roped in this case, based on the confession of the co-accused. It is further submitted that the petitioner has been incarceration for more than 7 months and the respondent has also completed the investigation and also filed a charge sheet. It is further contended that similarly placed co-accused was granted bail by this Court in Crl.O.P.(MD).No.397 of 2015.

4. Per contra, the learned Government Advocate (Crl.side) vehemently opposed granting of bail to the petitioner contending that the accused is a habitual offender and he is having 7 previous cases to his credit of similar nature and once if he is released on bail, he will indulge in similar offences in future also. It is further submitted that the respondent has already filed a charge



sheet and a direction can be issued for completion of the trial and there is no boycott by the advocates.

5. Considering the rival submissions, this Court is not inclined to grant bail. Hence, this petition is dismissed. However, considering the facts, the trial Court shall dispose of the case on merits and in accordance with law, as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

sd/-
08/09/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO. II, SRIVILLIPUTHUR
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
3. THE INSPECTOR OF POLICE
VANNIAMPATTI POLICE STATION, SIVAGANGAI DISTRICT
4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
5. THE OFFICER-IN-CHARGE, SUB-JAIL, VIRUDHUNAGAR

+1. CC to M/S V. KANNAN Advocate SR.No.53135
RL/7 C- 22/9/2015

ORDER
IN
CRL OP (MD) No.17365 of 2015
Date : 08/09/2015