



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

Tuesday, the Twenty Ninth day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.18434 of 2015

DHARMA

... PETITIONER/ACCUSED NO.5

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
VIRUDHUNAGAR RURAL POLICE STATION,
IN CRIME NO. 236/2014,
VIRUDHUNAGAR DISTRICT.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S M.SUBASH BABU 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 petitioner, who is the 5th accused in Crime No.236 of 2014 for the offences punishable under Sections 457, 392 r/w 397 IPC, on the file of the respondent Police, was arrested and remanded to judicial custody on 20.05.2015. He seeks bail.

2.According to the prosecution, on 25.09.2014 the accused have trespassed into the house of the de facto complainant and robbed 8 sovereigns of gold at knife point.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that the petitioner is implicated as accused in this case based on the confession of the 1st accused and the entire jewels had been recovered from the 1st accused.

4.It is further submitted that similarly placed 1st accused was already released on bail by the Sessions Court, Virudhunagar.

5.The learned Government Advocate (Crl.side) appearing for the respondent Police submitted that the petitioner is having one previous case, which is similar in nature and the respondent Police has completed the investigation and laid charge sheet, which has been taken on file in P.R.C.No.18 of 2015.



6.Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on 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, Virudhunagar and on further condition that the petitioner shall appear before the respondent police daily twice at 10.00 a.m., and 5.00 p.m., until further orders.

sd/-
29/09/2015

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE JUDICIAL MAGISTRATE NO.II
VIRUDHUNAGAR.

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

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

4 THE OFFICER-IN-CHARGE
SUB-JAIL, VIRUDHUNAGAR.

5 THE SUB INSPECTOR OF POLICE
VIRUDHUNAGAR RURAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

+1. CC to M/S M.SUBASH BABU Advocate SR.No.57199

Akm/29.09.2015 /2p-7c/

ORDER
IN
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Date :29/09/2015