



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

Wednesday, the Ninth day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.23281 of 2015

KUMAR

... PETITIONER / ACCUSED NO.4

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
SEYDUNGANALLUR POLICE STATION,
THOOTHUKUDI DISTRICT.
(CR.NO. 263/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.R.A. RAMACHANDRAN Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/Accused No.4, who was arrested and remanded to judicial custody on 19.11.2015 for the alleged offences punishable under Sections 457, 380 of IPC (NH) r/w 3(1) of TNPPDL Act, in Crime No.263 of 2015 on the file of the respondent police and hence, seeks bail.

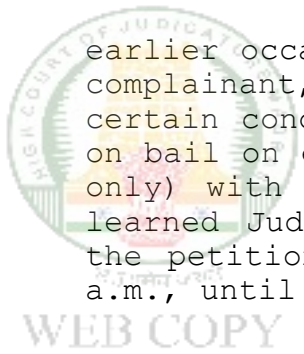
2.The case of the prosecution is that on 19.10.2015, the petitioner and others trespassed into the house of the defacto complainant and committed theft of radio set and damaged the household articles worth about Rs.1,00,000/-. Therefore, the case has been registered for the above said offences.

3.The case of the petitioner is that he is an innocent person and he has not committed any offence and he has been falsely implicated in this case.

4.The learned counsel for the petitioner submitted that the first accused gave a complaint against the husband of the defacto complainant and the same was registered in Cr.No.235 of 2015 for the alleged offences under Section 294(b), 324 and 506(ii) of IPC. Due to that motive, the defacto complainant has given a false complaint on 20.11.2015 for the alleged occurrence happened on 19.10.2015.

5.The learned Government Advocate (Crl.side) submitted that the petitioner and others trespassed into the house of the defacto complainant and damaged the household articles worth about Rs.1,00,000/- and the investigation is pending.

<https://hcservices.ecourts.gov.in/GovServices/> Considering the facts and circumstances of the case and also considering the fact that the complaint has been given on 20.11.2015 for the alleged occurrence happened on 19.10.2015 and the first accused on



earlier occasion has given a complaint against the husband of the defacto complainant, 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, Srivaigundam and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-
09/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
SRIVAIGUNDAM

2 DO THRO THE CHEIF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT

3 THE OFFICER INCHARGE,
DISTRICT PRISON,
THOOTHUKUDI

4 THE INSPECTOR OF POLICE
SEYDUNGANALLUR POLICE STATION,
THOOTHUKUDI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

+1. CC to M/S S.R.A. RAMACHANDRAN Advocate SR.No.70465.

ORDER
IN
CRL OP(MD) No.23281 of 2015
Date :09/12/2015

AM/09.12.2015/NGM.SS/SAR-II/2P/7C