



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

Thursday, the Twenty Eighth day of July Two Thousand Sixteen

PRESENT

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

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CRL OP(MD) Nos.13089, 13090,13095, 13096 and 13097 of 2016

MATHANRAJ

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
VENGAMEDU POLICE STATION,
KARUR DISTRICT.

... RESPONDENT/ COMPLAINANT

(CR.NO.155 OF 2016)

... IN CRL.OP.(MD)No.13089/2016

(CR.NO.151 OF 2016)

... IN CRL.OP.(MD)No.13090/2016

(CR.NO.154 OF 2016)

... IN CRL.OP.(MD)No.13095/2016

(CR.NO.150 OF 2016)

... IN CRL.OP.(MD)No.13096/2016

(CR.NO.148 OF 2016)

... IN CRL.OP.(MD)No.13097/2016

For Petitioner : M/S K.GOVINDARAJAN Advocate in all Petitions

For Respondent : Mr.P.Kannithevan, Govt. Advocate (Crl. Side)
in all Petitions

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

ORDER : The Court Made the following order :-

C O M M O N O R D E R

The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 08.06.2016 for the alleged offence punishable under Section 379 of I.P.C., in Crime Nos.155, 151, 154, 150 and 148 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the petitioner has committed theft of two wheeler in all the five cases. On complaint, case has been registered against the petitioner for the aforesaid offences.

3. The case of the petitioner is that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. The petitioner is in judicial custody from 08.06.2016. The respondent police took the petitioner for enquiry along with two wheelers and illegally detained him in the police station and



foisted all pending cases on the petitioner and the two wheelers also recovered from him.

4. The learned Government Advocate (Crl.side) submitted that the petitioner is a habitual offender and he committed theft of two wheeler and the investigation is pending and if he is enlarged on bail, he will indulge in the same offence.

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5. Considering the nature of allegations made against the petitioner and also considering the fact that the petitioner is in judicial custody from 08.06.2016 and all the stolen vehicles also recovered from him, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Karur.
- (ii) the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.
- (iv) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (v) the petitioner shall not abscond either during investigation or trial.
- (vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-
28/07/2016

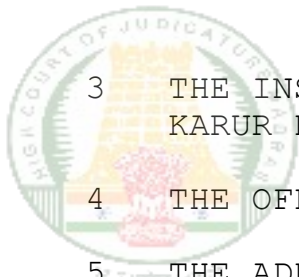
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Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I, KARUR.

<https://hcservices.ecourts.gov.in/hcservices/>
2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, KARUR.



3 THE INSPECTOR OF POLICE, VENGAMEDU POLICE STATION,
KARUR DISTRICT.

4 THE OFFICER INCHARGE, BORSTAL SCHOOL, ARIYALUR.

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

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+2. CC to M/S K.GOVINDARAJAN Advocate SR.No.40258

AKV

JM/NGM-MP/SAR-III/28.07.2016/3P-8C

ORDER
IN
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13095, 13096 & 13097 of 2016
Date :28/07/2016