



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

Wednesday, the First day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.7398 of 2016

RAMESH

PETITIONER/ACCUSED NO.2

VS

THE STATE REP.BY,
THE SUB-INSPECTOR OF POLICE,
ARALVOIMOZHY POLICE STATION,
KANYAKUMARI DISTRICT
(CRIME NO. 268 OF 2015)

RESPONDENT/COMPLAINANT.

For Petitioner : M.R.SREENIVASAN, Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.2, who was arrested and remanded to judicial custody on 01.04.2016 for the alleged offences punishable under Sections 457 and 380 of IPC, in Crime No.268 of 2015, on the file of the respondent police and hence, seeks bail.

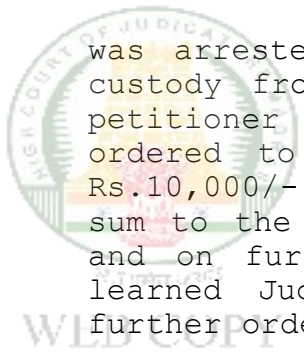
2.The case of the prosecution is that on 06.07.2015 when the defacto complainant returned from his workplace, he saw that the front door of his house was broke opened and found that his bureau was opened and 18 gms of gold jewels were found missing and someone has committed theft and on his complaint, initially, the case has been registered against some unknown persons. Thereafter, A1 Vijayakumar @ Suruttu Vijayakumar was arrested by the Rajakamangalam Police and as per the confession of A1, the petitioner and Vijayakumar @ Suruttu Vijayakumar were arrayed as accused in this case. The petitioner was arrested on 01.04.2016 and he is in judicial custody.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Only on the confession of A1, the petitioner name has been falsely implicated. A1 was arrested and all the stolen articles were recovered in this case.

4.The learned Government Advocate (Crl.side) submitted that all the stolen articles were recovered from A1 and petitioner and A1 was arrested and released on bail.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the facts and circumstances of the case and also considering the fact that all the stolen articles were recovered and A1



was arrested and released on bail and the petitioner is in judicial custody from 01.04.2016, 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, Boothapandi and on further condition that the petitioner shall appear before the learned Judicial Magistrate, Boothapandi daily at 10.00 a.m., until further orders.

Sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar.

To

- 1 THE JUDICIAL MAGISTRATE
BOOTHAPANDI.
 - 2 DO-THRO' THE CHEIF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
 - 3 THE OFFICER INCHARGE
DISTRICT JAIL,NAGERCOIL,KANYAKUMARI DISTRICT.
 - 4 THE SUB INSPECTOR OF POLICE,
ARALVOIMOZHY POLICE STATION,
KANYAKUMARI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- +1. CC to M/S.M.R.SREENIVASAN Advocate SR.No.27278

ORDER
IN
CRL OP(MD) No.7398 of 2016
Date :01/06/2016

AM/MPA/SAR-II/01.06.2016/2P/7C