



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

Thursday, the Third day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20076 of 2016

GANESAN,

... PETITIONER / SOLE ACCUSED

Vs

THE SUB INSPECTOR OF POLICE,
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CR.NO.638/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.RAMACHANDRAN 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 / accused, who was arrested on 24.08.2016 for the offences punishable under Sections 380 IPC in Crime No.638 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 24.08.2016 the petitioner entered into the house of the de-facto complainant and stolen 4 sovereigns of gold jewels.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 24.08.2016 onwards.

4.The learned Government Advocate(Crl. Side) would submit that the property has been recovered. He further submit that charge sheet is filed.

5.Considering the facts and circumstances of the case and taking note of the fact that the charge sheet has been filed, this Court is inclined to grant bail to the petitioner. 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, each for a like sum to the satisfaction of the Judicial Magistrate NO.II, Srivilliputhur;

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders and once the matter is taken up by the Trial Court, he shall appear before the Court on all hearings;

(iii) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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]**.

sd/-

03/11/2016

/ 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-thro THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3 THE SUPERINTENDENT, CENTRAL JAIL, MADURAI

4 THE SUB INSPECTOR OF POLICE,
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.R.RAMACHANDRAN Advocate SR.No.65552

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ORDER

IN

CRL OP(MD) No.20076 of 2016

Date :03/11/2016