



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

Friday, the Seventh day of April Two Thousand Seventeen
PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.4082 of 2017

WEB COPY

KASTHURI

... PETITIONER/ ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KULITHALAI POLICE STATION,
KARUR DISTRICT.
(CRIME NO.102/2017).

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.ALAGUMANI Advocate

For Respondent :M/S K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

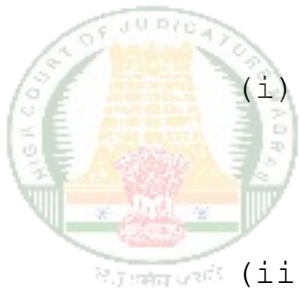
ORDER : The Court Made the following order :-

The petitioner who is arrayed as accused no.1 was arrested and remanded to judicial custody on 22.02.2017 for the alleged offences punishable under Sections 392,397 and 506(ii) of IPC in Crime No.102 of 2017, on the file of the respondent police and hence, seeks bail.

2. It is submitted by the learned counsel for the petitioner that a false case has been foisted against the petitioner alleging that she has snatched 4 ½ sovereigns of gold chain from the defacto complainant and taken into illegal custody. When the relatives of the petitioner filed Habeas Corpus petition, the respondent police foisted false case against the petitioner.

3. The learned Government Advocate (Crl. Side) submitted that the petitioner is a habitual offender and nearly 35 cases are pending against her for the similar offences and the NBW also pending. The list was also furnished by the learned Government Advocate (Crl. Side), which reveals that from 2003 till 2017, 35 cases have been booked against this petitioner by various Districts viz., Ariyaluar, Chennai, Thanjavur and Karur. All these cases are for chain snatching or theft. Most of the cases are still pending.

4. Considering the facts and circumstances of the case and also considering the fact that petitioner is a lady and she is in jail from 31.01.2017, this Court is inclined to enlarge the petitioner on bail, subject to the following conditions:



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- (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 learned Judicial Magistrate No.II, Kulithalai.
- (ii) the petitioner shall stay at Kulithalai and report before the respondent Police twice a day daily at 10.00 am and 6.00 pm until further orders.
- (iii) the petitioner shall not tamper with 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 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.

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/-

07/04/2017

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.II, KULITHALAI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR.

3.THE OFFICER INCHARGE, SPECIAL PRISON FOR WOMEN, TRICHY.

4.THE INSPECTOR OF POLICE,
KULITHALAI POLICE STATION, KARUR DISTRICT.

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

+1. CC to M/S.R.ALAGUMANI Advocate SR.No.19769

ORDER

IN

CRL OP(MD) No.4082 of 2017

Date :07/04/2017