



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

Monday, the Twenty Fourth day of July Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

Crl.O.P.(MD)Nos.9488, 9489 and 9490 of 2017

1 BHAVANI
2 SAKUNTHALA

... PETITIONERS/ ACCUSED NO.1 & 2
In Crl.O.P.(MD)Nos.9488, 9489 of 2017

BHAVANI

...PETITIONER/ SOLE ACCUSED
In Crl.O.P.(MD)No.9490 of 2017

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
ARAVAKURICHI POLICE STATION,
KARUR DISTRICT.
(CRIME NO.279 OF 2017
IN CRL OP(MD) No.9488 of 2017
(CRIME NO.280 OF 2017
IN CRL OP(MD) No.9489 of 2017

... RESPONDENT/ COMPLAINANT
In Crl.O.P.(MD)Nos.9488, 9489 of 2017

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
PARAMATHI POLICE STATION,
KARUR DISTRICT.
(CRIME NO.179 of 2017)

...RESPONDENT/ COMPLAINANT
In Crl.O.P.(MD)No.9490 of 2017

For Petitioners : M/S.M.SURESH, Advocate
in all the petitions

For Respondent : M/S.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR
in all the petitions

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

ORDER : The Court Made the following order :-

The petitioners / accused, who were arrested and remanded on 16.06.2017 for the offences punishable under Section 379 IPC in Crime Nos.279, 280 & 179 of 2017 on the file of the respondent police, seek bail.



2.The case of the prosecution is that the petitioners have snatched the gold chains of the de facto complainants.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Additional Public Prosecutor submitted that 3 sovereigns of gold chain was recovered from the accused in Crime No.279 of 2017 and 4 sovereigns of gold chain was recovered from the accused in Crime No.280 of 2017 and 4 ½ sovereigns of gold chain was recovered from the accused in Crime No.179 of 2017 and all the accused were implicated as accused on the basis of the confession given by A1. He further submitted that investigation is completed and charge has been filed and are pending as C.C.Nos.256, 257 and 233 of 2017 respectively, before the Judicial Magistrate No.II, Karur. He also submitted that no previous case is pending against the petitioners except the cases herein.

5.Considering the facts and circumstances of the case and considering the fact that no previous case is pending against the petitioners and the stolen articles were recovered from the accused and investigation is completed, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:

(i)the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.II, Karur;

(ii)the petitioners are directed to appear before the concerned Court daily twice at 10.30 a.m. and 5.30 p.m. until further orders;

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

(iv) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

24/07/2017

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO.II, KARUR.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR.
 3. THE SUPERINTENDENT, CENTRAL PRISON FOR WOMEN, TRICHY.
 4. THE SUB INSPECTOR OF POLICE,
ARAVAKURICHI POLICE STATION, KARUR DISTRICT.
 5. THE SUB INSPECTOR OF POLICE,
PARAMATHI POLICE STATION, KARUR DISTRICT.
 6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +3. CC to M/S.M.SURESH Advocate SR.Nos.27125,27126, 27127

ORDER IN
Crl.O.P.(MD)Nos.9488, 9489 and
9490 of 2017
Date :24/07/2017

MS/PM-PN/SAR.3/25.07.2017/2P.10C