



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

Wednesday, the Fifth day of July Two Thousand Seventeen

PRESENT

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

CRL OP(MD) Nos.8390,8391 & 8392 of 2017

GURU RADHA @ RADHA

... PETITIONER / ACCUSED-3
IN ALL THE PETITIONS

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
VIRUDHUNAGAR EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.346 OF 2015)

... RESPONDENT / COMPLAINANT
IN CRL OP(MD) NO.8390 of 2017

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
VIRUDHUNAGAR RURAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.523 OF 2015)

... RESPONDENT / COMPLAINANT
IN CRL OP(MD) NO.8391 of 2017

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.93 OF 2016)

... RESPONDENT / COMPLAINANT
IN CRL OP(MD) NO.8392 of 2017

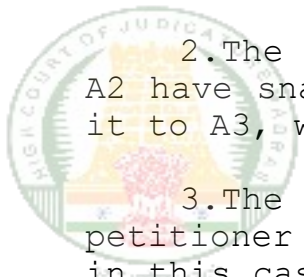
For Petitioner : M/S. M.S. JEYAKARTHIK Advocate
IN ALL THE PETITIONS

For Respondent : MR.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 petitioner / A3, who was arrested on 07.06.2017 for the offences punishable under Section 392 IPC in Crime Nos.346 and 523 of 2015 and Section 392 and 414 IPC in Crime No.93 of 2016 on the file of the respondent police, seeks bail.



2.The case of the prosecution in all the cases is that A1 and A2 have snatched the gold chain of the defacto complainant and gave it to A3, who is the wife of A1.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. He would further submit that based on the confession of A1, the petitioner is implicated as accused in all the three cases and apart from these cases, no other case is pending against this petitioner.

4.The learned Additional Public Prosecutor on instruction would submit that totally there are three accused and the petitioner is arrayed as A3 in these cases. He also submitted that A1 & A2 were arrested and released on bail and the stolen articles were recovered from this petitioner. He further submitted that the petitioner was arrested on 28.05.2017 in Crime No.93 of 2016 and based registering another case in Crime No.523 of 2015 she was arrested formally and investigation is still pending in all these cases.

5.Considering the facts and circumstances of the case and considering the fact that stolen properties were recovered and the petitioner is implicated as accused in these cases based on the confession of A1, 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, Virudhunagar;

(ii)the petitioner is directed to appear before the concerned Court daily at 10.30 a.m. until further orders;

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

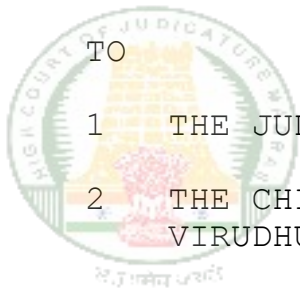
(iv) the petitioner shall not abscond either during investigation or trial;

(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/-
05/07/2017

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR.

2 THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE,
VIRUDHUNAGAR EAST POLICE STATION, VIRUDHUNAGAR DISTRICT.

5 THE INSPECTOR OF POLICE,
VIRUDHUNAGAR RURAL POLICE STATION, VIRUDHUNAGAR DISTRICT.

6 THE INSPECTOR OF POLICE,
VIRUDHUNAGAR WEST POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+3. CC to M/S. M.S.JEYAKARTHIK Advocate SR.Nos.25900,25899 & 25898

ORDER

IN

CRL OP(MD) Nos.8390,8391 & 8392 of 2017

Date :05/07/2017

MKV-PM-PN-SAR 4/5.7.2017/3P-11C