

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eleventh day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN

and

The Hon`ble Mr Justice P.D.AUDIKESSAVALU

CRIMINAL ORIGINAL PETITION No.22266 of 2018

R.GANESH

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

INSPECTOR OF POLICE,
IDOL WING CID, GUINDY,
CHENNAI. CR. NO. 6 OF 2018.

For Petitioner : M/S.M.MARIAPPAN Advocate

For Respondent : M/S.KIRTHIKA KAMAL, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A3, who was arrested and remanded to judicial custody on 07.08.2018 in connection with the case in Crime No.6 of 2018 on the file of the respondent police, for the offences punishable under Sections 454(2), 457(2) and 380(2) IPC, has filed this petition, seeking bail.

2.It is the case of the prosecution that on 06.08.2018, at Porur, the Petitioner/A3 and three others have transported a Panchaloga Amman Idol along with a Thiruvachi, in a Nano car bearing Registration No.TN09 BP 3040, which resulted in registration of the present case. It is further case of the prosecution that the said idol was stolen from a temple in Thiruvallur District for selling it to the tune of Rs.50,00,000/-.

3.The learned counsel for the petitioner submitted that the petitioner, as per the advice of his friend Ponvel, who is the brother of the first accused, approached the first accused and purchased only a number plate to his vehicle and hence, he has nothing to do with the alleged offence and he has been falsely implicated in this case. The learned counsel further submitted that the petitioner is languishing in jail from 07.08.2018 i.e., for more than 60 days. Hence, the learned counsel seeks indulgence of this

Court to consider this bail petition in favour of the petitioner herein.

4. According to the learned Government Advocate (Crl.Side), on 06.08.2018, the respondent police made a vehicle search, during the course of which, the car in question was intercepted and on enquiry, it came to light that the accused were found in possession of an Amman Idol along with thali and also a Thiruvachi and consequently, the vehicle was seized; the properties found therein were recovered; and the petitioner and other accused were arrested and remanded to judicial custody. However, she fairly submitted that the petitioner is in jail from 07.08.2018 and the investigation is almost completed.

5. Heard both sides and perused the records.

6. In view of the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side and further taking note of the facts that the stolen articles were recovered by the respondent police and the period of incarceration undergoing by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Accordingly, this petition is ordered, by releasing the petitioner on bail on executing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties each for a like sum to the satisfaction of the learned Additional Chief Judicial Magistrate, Kumbakonam and on further condition that the petitioner shall appear before the Inspector General of Police, Idol Wing CID, Thiruchirapalli, daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

सत्यमेव जयते -sd/-

11/10/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL CHIEF JUDICIAL
MAGISTRATE, KUMBAKONAM.

2 THE INSPECTOR OF POLICE,
IDOL WING CID, GUINDY, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE OFFICER INCHARGE,
BORSTAL SCHOOL, PUDUKOTTAI.

5 THE INSPECTOR GENERAL OF
POLICE, IDOL WING CID,
THIRUCHIRAPALLI.

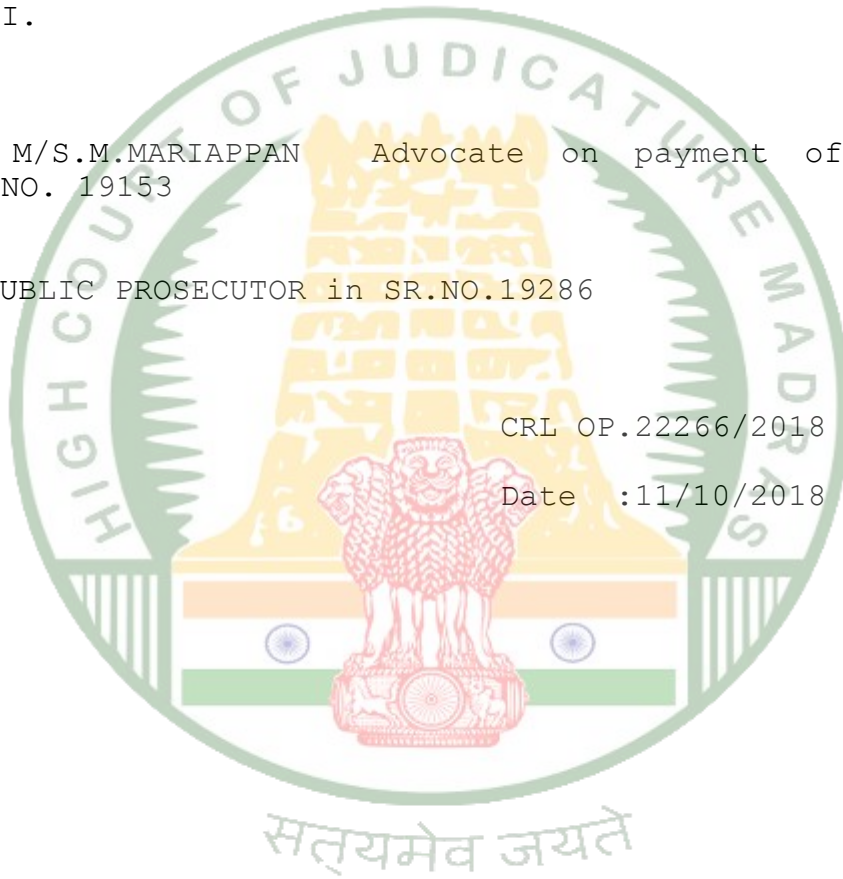
+1CC to M/S.M.MARIAPPAN Advocate on payment of necessary
charges in SR.NO. 19153

+1CC to PUBLIC PROSECUTOR in SR.NO.19286

CRL OP.22266/2018

Date :11/10/2018

MLT-12/10/2018



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