

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice R. MAHADEVAN

and

The Hon`ble Mr Justice P.D.AUDIKESSAVALU

CRIMINAL ORIGINAL PETITION Nos.16611 & 16612 of 2018

1 N.ARUMUGAM,
2 R.GURUSAMY

[PETITIONERS / ACCUSED IN
CRL.OP.16611/2018]

R.ESWARAN

[PETITIONER/ACCUSED IN
CRL.OP.16612/2018]

Vs

STATE REP.BY

[RESPONDENT IN BOTH THE PETITIONS]

THE INSPECTOR OF POLICE,
PERNAMPET POLICE STATION,
VELLORE DISTRICT.
CR.NO.193 OF 2018.

For Petitioner : M/S.L.RAMU Advocate IN BOTH THE PETITIONS

For Respondent : MR. C.EMALIAS, PUBLIC PROSECUTOR IN
BOTH THE PETITIONS

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A1 to A3, who were arrested and remanded to judicial custody on 06.05.2018 in connection with the case in Crime No.193 of 2018 on the file of the respondent police, for the offences punishable under Sections 457(2), 380(2), 411(2), 414, 201 and 120-B IPC, seek bail.

2. According to the case of the prosecution, on 06.05.2018 about 3.00pm, the respondent police conducted a raid near the Forest Range Office, Pernampet and found three idols from a car bearing Regn.No.TN09 AW 3339, which was parked before the Forest Office, Pernampet and during the course of enquiry, it came to light that on 08.10.2017, the petitioners and other accused had stolen those idols from Poomalai Murugan Temple at Vellore District and transported the same in the aforesaid car.

3. The learned counsel for the petitioners submitted that the petitioners were arrested on 06.05.2018 and have been in judicial

custody for 88 days as on today. The learned counsel further submitted that the first accused, who is the petitioner in Crl.OP.No.16612/2018 is suffering from heart disease and is continuously taking treatment in Government Hospital. The learned counsel also submitted that the idols alleged to have been stolen by the petitioners were recovered and were returned to the temple authorities.

4.The learned Public Prosecutor appearing for the respondent, on instructions, submitted that there are totally six accused, out of whom, four were already arrested and two are still in abscondence. The learned Public Prosecutor further submitted that the stolen idols worth about Rs.95,000/- were recovered and were subsequently, handed over to the Temple authorities.

5.Heard both sides and perused the records.

6.Considering the facts and circumstances of the case and also having regard to the submissions made by the learned counsel on either side and further taking note of the facts that the petitioners have been under incarceration for 88 days and the stolen idols were recovered and handed over to the temple authorities, the petitioners in both the petitions are ordered to be released on bail on each of them 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 **[*]Additional Chief Judicial Magistrate, Kumbakonam** and on further condition that the petitioners shall appear before the Inspector General of Police, Idol Wing CID, Thiruchirapalli, daily at 10.30 a.m. until further orders.

7.Accordingly, both the petitions are ordered.

-sd/-

01/08/2018

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

TRUE COPY
WEB COPY

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

[*]Amended as per the order of this court dated 03/08/2018 in CRL.MP.NOS.10345 AND 10346/2018 IN CRL.OPS.16611 AND 16612/2018.

TO

**[*]THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE
KUMBAKONAM**

2 THE CHIEF JUDICIAL MAGISTRATE
KUMBAKONAM[FOR INFORMATION]

**[*] 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY**

4 THE JUDICIAL MAGISTRATE,
AMBUR.

5 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

6 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

7 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

8 STATE REP.BY
THE INSPECTOR OF POLICE,
PERNAMPET POLICE STATION,
VELLORE DISTRICT.

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

+2CC to M/S.L.RAMU Advocate on payment of necessary charges-
SR.NoS.14519 and 14520

सत्यमेव जयते

CRL OP.Nos.16611 & 16612/2018

Date :01/08/2018

ths : 01.08.2018

ths : 03.08.2018

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