



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

Friday, the Ninth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.2073 of 2018

1 DINESH
2 VIGNESH
3 VENKATESH

... PETITIONERS/ ACCUSED NO.1,2 & 4

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
NILAKOTTAI POLICE STATION,
DINDIGUL DISTRICT.
IN CRIME NO.377/2017

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.M.PITCHAI MUTHU, Advocate

For Respondent : M/S.K.SUYAMBULINGA BHARTHI, Govt.Advocate(Crl.Side)

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

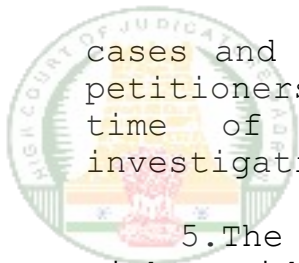
ORDER : The Court Made the following order :-

The petitioners/A1, A2 & A4, who were arrested and remanded to judicial custody on 16.12.2017 for the offence punishable under Sections 395, 397 I.P.C., in Crime No.377 of 2017, on the file of the respondent police, seek bail.

2.The case of the prosecution is that on the date of occurrence, the accused persons have hired the car of the defacto complainant at Tiruppur in order to go to T.Kallupatti. When they were on journey, the accused persons at knife point threatened the defacto complainant and robbed cell phone, cash of Rs.500/- and took away the Maruthi Omni by pushing him out the car. Hence, case has been registered against the petitioners, they were arrested and remanded to judicial custody.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in tis case. He further submitted that the petitioners have not committed any offence as alleged by the prosecution and they are no way connected with the offences and pleads for grant of bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the State submitted that third petitioner is having 6 previous



cases and no previous case is pending against the first and second petitioners. The stolen properties which were involved during the time of occurrence had been recovered. According to him, investigation is still pending.

5. The submissions made by the learned counsel appearing on either side are considered. It is alleged that during the time of occurrence, the petitioners herein were taking the car for lease and committed this offence. Even though, the stolen properties with regard to the case were recovered, considering the nature of offence committed by the petitioner, this Court is not inclined to grant bail to the petitioners at this stage. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
09/02/2018

/ TRUE COPY /

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

TO

1. THE SUB INSPECTOR OF POLICE,
NILAKOTTAI POLICE STATION, DINDIGUL DISTRICT.
2. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.2073 of 2018
Date : 09/02/2018

MS/RR-CSL/SAR.3/15.02.2018/2P.4C