



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

Tuesday, the Third day of April Two Thousand and Eighteen

PRESENT

WEB COPY

**The Hon`ble Mr.Justice G.R.SWAMINATHAN**

CRL OP(MD) No.4589 of 2018

SHANKAR @ VETTU SHANKAR

... PETITIONER / ACCUSED

Vs

THE STATE REP. BY  
THE INSPECTOR OF POLICE,  
KARUR TOWN POLICE STATION, KARUR DISTRICT.  
(IN CRIME NO.323 OF 2014).

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.M.A.JINNAH Advocate

For Respondent : PRABU RAMACHANDRAN, Govt. Advocate ( Crl. Side)

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

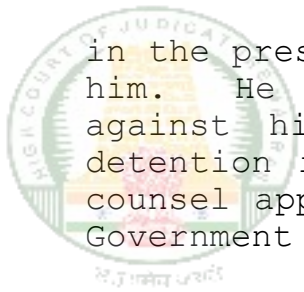
ORDER : The Court Made the following order :-

The petitioner was arrested through PT Warrant and remanded to judicial custody on 24.01.2018. The case against him is for the offences punishable under Sections 457 and 380 IPC, in C.C.No.355 of 2016 in Crime No.323 of 2014, on the file of the Judicial Magistrate Court No.I, Karur. He seeks bail.

2.The case of the prosecution is that when the de-facto complainant and his wife were not in house, the petitioner/accused broke open the door and the Bureau and stolen away 3 ½ sovereigns of gold jewels. On complaint, the case has been registered for the above said offences.

3.The petitioner is facing trial in C.C.No.355 of 2016 on the file of the Judicial Magistrate Court No.I, Karur. The offences with which, he has been charged are Sections 457 and 380 IPC.

4.According to the learned counsel appearing for the petitioner, the petitioner was falsely implicated in some other cases and he was arrested therein. Therefore, he could not appear



in the present case. Hence, non-bailable warrant was issued against him. He further submitted that non-bailable warrant was issued against him not on account of abscondence, but on account of detention in some other cases. The said contention of the learned counsel appearing for the petitioner is not rebutted by the learned Government Advocate (Criminal side).

5. Considering the facts and circumstances of the case and considering the fact that the petitioner is in judicial custody from 24.01.2018, this Court is inclined to enlarge the petitioner on bail with certain conditions. 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 learned Judicial Magistrate No.I, Karur.
- (ii) The petitioner shall appear before the concerned Court regularly in all future hearings without fail.
- (iii) The petitioner shall not abscond.
- (iv) On breach of any of the aforesaid conditions, the learned 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 learned 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/-  
03/04/2018

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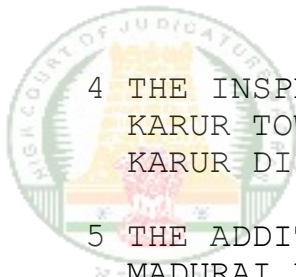
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.I,  
KARUR.

2 THE CHIEF JUDICIAL MAGISTRATE,  
KARUR DISTRICT.

3 THE SUPERINTENDENT,  
CENTRAL PRISON,



4 THE INSPECTOR OF POLICE,  
KARUR TOWN POLICE STATION,  
KARUR DISTRICT.

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

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+1. CC to M/S.S.M.A.JINNAH Advocate SR.No.5275.

ORDER

IN

CRL OP(MD) No.4589 of 2018

Date :03/04/2018

SDS/CM:VR/SAR.1/03.04.2018/3P/7C