



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

Monday, the Twenty Fourth day of June Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8819 of 2019

1 CHINNATHAI

2 RAMYA

... PETITIONERS/ ACCUSED NO.1 AND 2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ADIRAMPATTINAM POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.106 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.MAHENDRAPATHY Advocate

For Respondent : Public Prosecutor

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

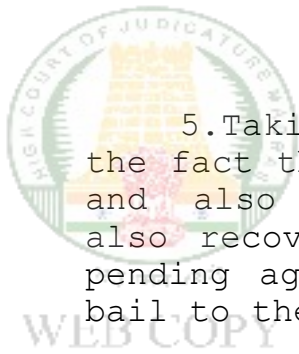
ORDER : The Court Made the following order :-

This petition has been filed by the petitioners/ Accused-1 and 2 seeking bail for the alleged offence under Section 379 of IPC

2. Heard both sides

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in the above case. He further submitted that the petitioners were arrested and remanded to judicial custody on 04.06.2019 and from that date onwards they are in custody. He further submitted that the stolen money was recovered and there is no previous case pending against the petitioners and therefore he prayed to grant bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners have committed theft of Rs.950/- from the defacto complainant while they were travelling in a Government bus from Pattukottai to Nagapattinam. Hence he strongly opposed to grant anticipatory bail to the petitioners. However he fairly conceded that the stolen money was recovered and no previous case is pending against the petitioners.



5. Taking into consideration the aforesaid submissions and also the fact that the petitioners are in custody for the past 21 days and also the fact that the amount stolen is only Rs.950/- which is also recovered and also the fact that there is no previous case pending against the petitioners,, this Court is inclined to grant bail to the petitioners by imposing conditions:

[a] the petitioners are ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the Judicial Magistrate, Pattukottai.

[b] the petitioners shall report before the Respondent Police, daily at 10.30 A.M for a period of One Month and thereafter, as and when required for the interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

24/06/2019

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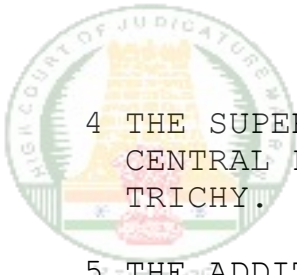
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
ADIRAMPATTINAM POLICE STATION,
THANJAVUR DISTRICT.



4 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
TRICHY.

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

+1 CC to M/s.S.MAHENDRAPATHY, Advocate (SR-10351[I] dated
24/06/2019)

ORDER

IN

CRL OP (MD) No.8819 of 2019

Date :24/06/2019

JM/VR/SAR 2/24.06.2019/3P/7C