



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

Wednesday, the Twenty Third day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.22408 of 2018

1 S.MANJULA
2 GOWRI
3 VASANTHA
4 SIVAMMAL

... PETITIONERS/ ACCUSED
Nos. 1 to 4

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
THIRUCHENDUR POLICE STATION,
TUTICORIN DISTRICT.
Crime No.336 of 2018

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.P.BANUPRASATH Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners were arrested and remanded to judicial custody since 13.11.2018 for the offences punishable under Section 379 IPC in Crime No.336 of 2018, on the file of the respondent police, seek bail.

2. The case of the prosecution is that while the defacto complainant was standing in a crowd of people, the petitioners herein pushed each other and taking advantage of it, the petitioners snatched 4^{1/2} sovereigns of gold chain from the defacto complainant

3. The learned counsel for the petitioners would submit that the petitioners have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He would also submit that the petitioners are ladies and they are having children and the childrens are left without care.

<https://hcservices.ecourts.gov.in/hcservices/>
4. The learned Government Advocate (Crl.Side) would submit that property has been recovered. He would also submit that the petitioners belongs to the state of Karnataka and they do not have



any local address and if they are released on bail, they will apprehend. He would also submit that investigation in this over and charge sheet has been filed in C.C. No.284 of 2018 before the concerned court.

5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioners and also the fact that the property has been recovered, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Tuticorin and on further condition that:

[a] the petitioners shall report before the respondent police daily at 10.30 a.m until further orders except the date on trial before the trial court.

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

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] 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].

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

sd/-
23/01/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO III,
TUTICORIN.

<https://hcservices.mca.gov.in/hcservices/>
2. THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.



3. THE INSPECTOR OF POLICE,
THIRUCHENDUR POLICE STATION,
TUTICORIN DISTRICT.

4. THE OFFICER INCHARGE,
SUB JAIL, KOKKIRAKULAM, TIRNELVELI DISTRICT.

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

+1. CC to Mr.P.BANUPRASATH Advocate SR.No.1153

ORDER
IN
CRL OP(MD) No.22408 of 2018
Date :23/01/2019

TK/VR/SAR-1/23.01.2019/3P/7C