



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

Friday, the Fourth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.23018 of 2018

S. DEVI

... PETITIONER / ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
THIRUMANGALAM TOWN POLICE STATION,
MADURAI DISTRICT.
Crime No.663 of 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.J.CHAKKARAVARTHY Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 08.12.2018 for the offences punishable under Section 379 of IPC in Crime No.663 of 2018, on the file of the respondent police, seeks bail.

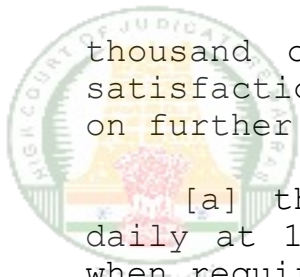
2. The case of the prosecution is that the petitioner along with other accused snatched two sovereigns of gold chain from the defacto complainant.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor would submit that the property has been recovered in this case. He would also submit that there are two previous cases against the petitioner of similar nature , which ended in acquittal.

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

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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, Thirumangalam, and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation.

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

[c] the petitioner 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 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].

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

sd/-
04/01/2019

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, THIRUMANGALAM.
- 2.THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE
THIRUMANGALAM TOWN POLICE STATION, MADURAI DISTRICT.
- 4.THE SUPERINTENDENT,
SPECIAL CENTRAL WOMEN PRISON, MADURAI.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.J.CHAKKARAVARTHY Advocate SR.No.138

ORDER
IN
CRL OP(MD) No.23018 of 2018
Date :04/01/2019