



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06.12.2021

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.18667 of 2021

Mareeshwaran

... Petitioner/Accused No.1

Vs

The State rep. by,
The Inspector of Police,
Uchipuli Police Station,
Ramanathapuram District.
(Crime No.288 of 2021)

... Respondent/Complainant

For Petitioner : Mr.R.JEGADEESWARAN, Advocate.

For Respondent : Mr.R.MEENAKSHI SUNDARAM,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.288 of 2021 on the file of the Respondent police.

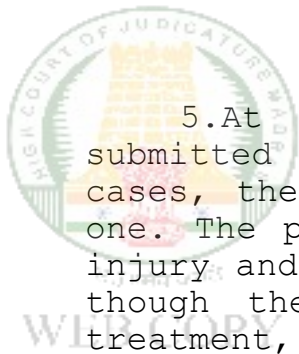
ORDER : The Court made the following order :-

The petitioner/A1 herein, who was arrested on 13.10.2021 for the alleged offence under Sections 427, 395, 397 and 506(ii) of IPC, in Crime No.288 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 14.06.2021, the petitioner along with other accused persons trespassed into the shop, where the defacto complainant is a Cashier and robbed a sum of Rs.500/- on knife point and also damaged the showcase worth about Rs.25,000/- in the shop. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he never committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submitted that there are totally six accused in this case. The accused persons entered into a bakery shop and robbed some amount from the defacto complainant, who is Cashier in that shop. The petitioner is having three previous cases. They also caused damages to the tune of Rs.20,000/-. Some of the accused persons are absconding. The petitioner also escaped from the hospital and thereafter surrendered before the respondent police. The petition moved by the petitioner seeking bail before the Principal District Court, Ramanathapuram was dismissed on 08.10.2021. Investigation in this case has been completed and charge sheet has also been filed before the learned Judicial Magistrate No.II, Ramanathapuram on 10.11.2021, but the same has not been taken cognizance so far.



5.At this juncture, the learned counsel for the petitioner submitted that even though the petitioner is having three previous cases, they are not similar in nature. This case is purely false one. The petitioner slip-down in the bathroom and sustained severe injury and taken treatment in the hospital. He further submit that though the petitioner absconded from the hospital while taking treatment, later he voluntarily surrendered before the respondent police.

6.Whatever may be, considering the previous antecedents, the petitioner is dis-entitled for grant of bail at this stage. Since the final report has been filed before the learned Judicial Magistrate No.II, Ramanathapuram, he can move a petition before the concerned Court. The Learned Judicial Magistrate No.II, Ramanathapuram, shall process the final report that has been filed by the respondent police as per Rules.

7.With the above directions, this criminal original petition is dismissed.

sd/-
06/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE SUPERINTENDENT, CENTAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE
UCHIPULI POLICE STATION, RAMANATHAPURAM DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.18667 of 2021
Date :06/12/2021

SA/VR/SAR.3/09.12.2021/2P/6C