



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/12/2021
PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.20943 of 2021

P.Jagan ... Petitioner/Accused No.3

Vs

The State rep.by,
The Inspector of Police,
Boiler Plant Police Station, Trichy District.
(Crime No.220 of 2021) ... Respondent/Complainant

For Petitioner : Mr.G.Chandrasekar, Advocate.
For Respondent : Mr.Ss.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-For Bail in Crime No.220 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who was arrested on 24.11.2021 for the alleged offence under Section 457 and 380 of IPC, in Crime No.220 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 02.09.2021, at about 06.00 p.m, the defacto complainant along with his wife went to see house for them and when they returning to their house at about 09.00 p.m, 48 grams of gold jewels and Apple I-pad, which were kept in the bureau were stolen. Based upon the confession statement of A1, stolen jewels were recovered from this petitioner (A3). Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submitted that the petitioner is a Pawn Broker and running a Pawn Shop by getting proper license from the authorities. Without knowing the fact that they are stolen jewels, he received the same from A1 namely, Sankar @ Vettu Sankar, who is the habitual offender. Hence, he seeks bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that the petitioner is having two previous cases similar in nature. In that



cases also, properties were recovered from this petitioner. Hence, he opposed to grant bail to the petitioner.

5. But, however, it is seen that only A1 and A2 are habitual offender and this petitioner is not a habitual offender. Even as per the confession statement of A1, there is no averment that the petitioner also colluded with the accused.

6. considering the above said fact, and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions.

7. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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.VI, Tiruchirappalli, and on further condition that the petitioner shall report before the Judicial Magistrate No.VI, Tiruchirappalli, daily at 10.30 a.m. for a period of 30 days.

sd/-
29/12/2021

/ 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.VI
TIRUCHIRAPPALLI.
 - 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
 - 3 THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.
 - 4 THE INSPECTOR OF POLICE
BOILER PLANT POLICE STATION, TIRUCHIRAPPALLI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to Mr.G.CHANDRASEKAR, Advocate (SR-9802[I] dated 29/12/2021)

ORDER
IN
CRL OP(MD) No.20943 of 2021
Date :29/12/2021

dss/tmg

<https://hmc.vseco.in/DocServer/12.2021/2P/7C>