



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/02/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.691 of 2022

Esak ... Petitioner/Accused No.3

Vs

The State Rep.by
The Inspector of Police,
Uvari Police Station,
Tirunelveli District.
(Crime No.2/2022).

... Respondent/Complainant

For Petitioner : M/s.S.Sundarapandian
Advocate.

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.side)

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

PRAYER :-

For Bail in Crime No.2 of 2022 on the file of the respondent police.

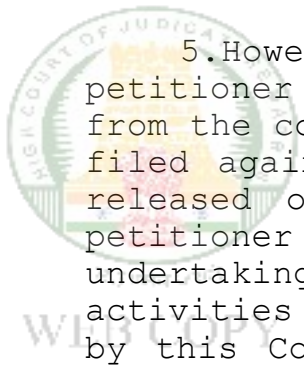
ORDER : The Court made the following order :-

The petitioner/Accused No.3 herein, who was arrested on 03.01.2022 for the alleged offence under Sections 397 of IPC in Crime No.2 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons have trespassed into the defacto complainant's house and have stolen gold jewels and cash. Hence the complaint.

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.

4.The learned Government Advocate would submit that based upon the confession statement of the co-accused, this petitioner has been arrived in this case the jewels worth about Rs.18.28 Lakhs along with cash amount has been recovered from the co-accused.



5.However, considering the duration of custody underwent by the petitioner and since the amount and the jewels has been recovered from the co-accused and also the fact that no previous case has been filed against the petitioner and the co-accused have been already released on bail, this Court is inclined to grant bail to the petitioner with stringent conditions. The petitioner has to file an undertaking affidavit that he will not indulge in such an illegal activities in future. If any case is registered after grant of bail by this Court, the relief of bail granted to the petitioner will automatically get cancelled.

6.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, Radhapuram, Tirunelveli District, and on further condition that the petitioner shall report before the respondent police once in 15 days at 10.30 a.m. until further orders.

7.It is represented by the learned counsel for the petitioner that the petitioner is now confined ad the Central Prison, Palayamkottai.

sd/-
02/02/2022

/ TRUE COPY /

02/02/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.The Judicial Magistrate, Radhapuram,
Tirunelveli District.
- 2.Do Through the Chief Judicial Magistrate,
Tirunelveli District.
- 3.The Inspector of Police,
Uvari Police Station,
Tirunelveli District.
- 4.The Officer in Charge,Borstal School,
Nanguneri,
Tirunelveli District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.691 of 2022
Date :02/02/2022