



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 12/09/2022
PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.11934 of 2022

Rajendran

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Melathur Police Station, Thanjavur District.
Crime No.137/2022.

... Respondent/Complainant

For Petitioner : Mr.D.Veerasekaran, Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.137/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 11.06.2022 for the alleged offence under Sections 408, 420 I.P.C, in Crime No.137 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was working as an employee in the Pawn Broker shop, which was owned by the defacto complainant. The defacto complainant was informed that there was theft in his shop. On enquiry, it was found that this petitioner alleged to have carried a bag after locking the shop. So, on the basis of the complaint given by the defacto complainant, a case has been registered.

3.On the side of the petitioner, it is stated that the petitioner has already got interim bail from this Court on 07.07.2022 and it was extended till 09.09.2022. The petitioner is 72 years old person. Hence, prays to release the petitioner on bail.

4. On the side of prosecution, it is stated that the only from the house of petitioner, 2.5kgs of silver and 40 sovereigns of gold were recovered. Hence, prayed to dismiss the petition.

5. Considering the nature of the offence and considering the facts and circumstances of the case, the accused was already enlarged on interim bail and also



age of the petitioner, this Court is inclined to grant bail to the petitioner.

6. Since the petitioner already executed sureties at the time of granting of interim bail, the same sureties shall stand good and the petitioner is now ordered to be released on bail, with the following conditions:

i) the petitioner shall report before the respondent police daily at 10.30 a.m until further orders;

ii) the petitioner shall not tamper with evidence or witness;

iii) the petitioner shall appear before the concerned Court on all hearing dates and appear before the respondent Police, as and when required;

iv) 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];

v) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

sd/-

12/09/2022

/ TRUE COPY /

12/09/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, THANJAVUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
MELATHUR POLICE STATION, THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE
SUB JAIL, THANJAVUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.11934 of 2022

Date :12/09/2022

PNM

MK/VRS/SAR.IV/12.09.2022/2P/6C

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