



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.12411 of 2022

WEB COPY

P.Aphirag

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Kaliyakkavilai Police Station,
Kanyakumari District.
Cr.No.131/2022.

... Respondent/Complainant

For Petitioner : M/s.Nimal.C, Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.131/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, who was arrested on 03.05.2022 for the alleged offence under Section 392 IPC, in Crime No.131 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the case of the prosecution is that the defacto complainant lodged a complaint stating that she is running a grocery shop near Venkateshwaran Marriage Hall, Poduvalvilai. On 02.05.2022, at about 08.20 p.m, when she was in the shop, the accused person came there and purchased some articles. When money was demanded, he snatched the 2 sovereigns of gold chain from her neck. On the basis of the complaint given by her, case has been registered against the petitioner and he was arrested on 03.05.2022. Ever since, he is in custody.

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 further submitted that he was in judicial custody for more than 85 days. Except this, the petitioner has no bad antecedent. Hence, he prays for grant of bail to the petitioner.



4.The learned Government Advocate (Crl.Side) submitted the petitioner has given a wrong address at the time of remand.

5.The learned counsel for the petitioner produced the Aadhar Card of the petitioner and it shows Kerala Address.

6.The learned counsel for the petitioner would submit that the residence of the petitioner's mother is Kerala and the residence of the petitioner's father is Tamilnadu. Now, the petitioner is living along with his mother in the address mentioned in this petition.

7.Considering the period of incarceration and also considering the fact that no bad antecedents is report against the petitioner, this Court is inclined to grant bail to the petitioner with stringent conditions.

8.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.1, Kuzhithurai, and on further condition that the petitioner shall report before the Judicial Magistrate-I, Kuzhithurai, daily at 10.30 a.m. until further orders.

sd/-

28/07/2022

/ TRUE COPY /

29/07/2022

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.1, KUZHITHURAI.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE OFFICER INCHARGE, SUB JAIL, NAGERCOIL.
- 4 THE INSPECTOR OF POLICE, KALIYAKKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.12411 of 2022
Date :28/07/2022

RS/PN/SAR.2 (29.07.2022) 2P-6C

<https://www.mhc.tn.gov.in/judis>