



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 02/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15733 of 2022

Rohith Suresh

... Petitioner/Sole Accused

Vs

The State rep.by
The Sub Inspector of Police,
Chinnamanur Police Station,
Theni District.
Crime No.328 of 2022

... Respondent/Complainant

For Petitioner : M/s.ARUMUGAM.C.M, 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.328/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

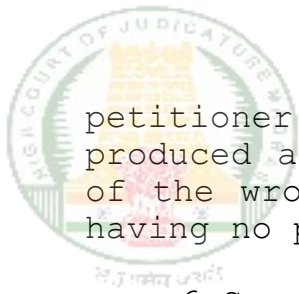
The petitioner/Sole Accused, who was arrested on 30.07.2022 for the alleged offence under Sections 392 of IPC, in Crime No.328 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant version is that on 04.07.2022, at about 04.45 p.m, when she was standing near highway since her husband went for filling petrol, one person came in two wheeler and enquired about the land available in that area. During the above said talking, suddenly, snatched the chain and fled away from the place of occurrence. During the investigation, on the basis of the CCTV footage, that is available near the place of occurrence, the petitioner was suspected and apprehended. Later, arrested and remanded to custody.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is working in Bhima Gold Company at Kottayam. For which, he produced ID Card.

4.The learned Government Advocate (Crl.Side) submitted that even though no previous case is pending against the petitioner only based upon the CCTV footage, he was identified and taken to custody.

5.The learned counsel for the petitioner would submit that the above said recovered jewel was purchased by the brother of the



petitioner from the Iswaryam Jewellers, Chinnamanur. He produced a copy of the purchase voucher. According to him, because of the wrong identification, the petitioner was arrested and he is having no previous antecedent.

6. Considering the period of incarceration and also considering the fact that the petitioner is not involved in either similar nature or some other bad conduct and investigation is completed and final report is going to be produced after completing formalities, 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 (from local residence) each for a like sum to the satisfaction of the learned Judicial Magistrate, Theni District, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

02/09/2022

/ TRUE COPY /

02/09/2022

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, THENI DISTRICT.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
- 3 THE OFFICER INCHARGE, DISTRICT PRISON, THENI DISTRICT.
- 4 THE SUB INSPECTOR OF POLICE,
CHINNAMANUR POLICE STATION, THENI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.ARUMUGAM.C.M., Advocate SR.No.9567

ORDER IN

CRL OP(MD) No.15733 of 2022

Date : 02/09/2022

DSS

SA/SVR/SAR.1/02.09.2022/2P/7C

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