



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 28.09.2022  
PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . Nos.17196 and 17198 of 2022

**CRL OP(MD) .No.17196 of 2022:**

1.Chitra  
2.Baskaran ... Petitioners /Accused Nos.7 and 8

Vs

State represented through  
The Inspector of Police,  
District Crime Branch Police Station,  
Thanjavur District.  
Crime No.23 of 2022 ... Respondent/Complainant

For Petitioner : Mr.T.A.Ebenezer, Advocate.  
For Respondent : Mr.M.Vaikkam Karunanithi  
Additional Public Prosecutor

**CRL OP(MD) .No.17198 of 2022:**

Veerammal ... Petitioner /Accused No.2

Vs

State represented through  
The Inspector of Police,  
District Crime Branch Police Station,  
Thanjavur District.  
Crime No.23 of 2022 ... Respondent/Complainant

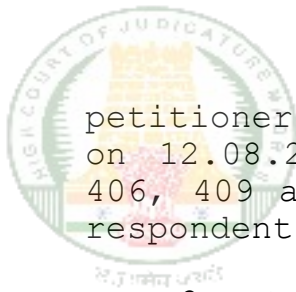
For Petitioner : Mr.R.L.Dhilipan Pandian, Advocate.  
For Respondent : Mr.M.Vaikkam Karunanithi  
Additional Public Prosecutor

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

COMMON PRAYER :-For Bail in Crime No.23 of 2022 on the file of the respondent police.

COMMON ORDER : The Court made the following order :-

The petitioners/Accused Nos.,7 and 8, who were arrested and  
<https://www.mhsc.org.in/judis> remained to judicial custody on 13.08.2022 and the



petitioner/Accused No.2 was arested and remanded to judicial custody on 12.08.2022 for the offences punishable under Sections 120(B), 406, 409 and 381 of IPC in Crime No.23 of 2022, on the file of the respondent police, seeks bail.

2. On the side of the petitioner it is stated that the petitioner in Crl.O.P.(MD)No.17198 of 2022 is A2 and she is working in the police department. She has not committed any offences. She is in custody for the past 47 days and she is having two children. The husband of A2 is A6 in this case. Since both the parents are in custody, there is nobody else to take care of the children and pray the petitioner to be released on bail.

3.The petitioners in Crl.O.P.(MD)Nos.17196 of 2022, are accused Nos.7 and 8 in the case. Only on the statement of A9, the petitioners are falsely implicated in the case. The goods were recovered only from A2. The petitioners are in custody for the past 47 days. Since A7 is in custody, there is nobody else to take care of the children and pray the petitioners to be released on bail.

4.On the side of the prosecution it is stated that based on the confession statement given by A1, A6 was arrested and on the basis of his confession, A7 and A8 were arrested. A6 to A8 used to sell the stolen article from the police canteen through their shop in the name and style as Abi Grocery Shop at Sadayarkovil. He has further stated that a portion of the stolen articles were recovered from A2 to A6 and the balance is not yet recovered and prayed the petitions to be dismissed.

5.This petition against the second petitioner/ A8 in Crl.O.P.(MD)No.17196 of 2022 is dismissed as not pressed.

6.The petitioner in Crl.O.P.(MD)Nos.17196 and 17198 of 2022 were Accused Nos.2 and 7 who are in custody for the past 47 days. Major portion of the investigation might have been completed by this time.

7.Considering the period of incarceration, considering the nature of offence, this Court is inclined to release the first petitioner in Crl.O.P.(MD)No.17196 of 2022 and the petitioner in Crl.O.P.(MD)No.17198 of 2022 on bail on the following condition:

8. Accordingly, the first petitioner in Crl.O.P.(MD)No.17196 of 2022 and the petitioner in Crl.O.P.(MD)No.17198 of 2022 are ordered to be released on bail, on executing a 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.I, Thanjavur, and on further conditions that:

(i)the sureties shall affix their photographs and left thumb impressions in the surety bond and the Magistrate/concerned court may



obtain a copy of their Aadhar card or Bank Pass Book to ensure identity;

(ii) the first petitioner in Crl.O.P.(MD)No.17196 of 2022 and the petitioner in Crl.O.P.(MD)No.17198 of 2022, shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii) the first petitioner in Crl.O.P.(MD)No.17196 of 2022 and the petitioner in Crl.O.P.(MD)No.17198 of 2022 shall not tamper with evidence or witness;

(iv) the first petitioner in Crl.O.P.(MD)No.17196 of 2022 and the petitioner in Crl.O.P.(MD)No.17198 of 2022 shall be present before the Court on hearing dates and before the respondent police as and when required;

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

(vi) If the first petitioner in Crl.O.P.(MD)No.17196 of 2022 and the petitioner in Crl.O.P.(MD)No.17198 of 2022, thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

28/09/2022

/ TRUE COPY /

28/09/2022

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE  
DISTRICT CRIME BRANCH POLICE STATION, THANJAVUR DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

5 THE OFFICER INCHARGE, SUB JAIL, THANJAVUR.

6 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.A.EBENEZER, Advocate ( SR-10691[I] dated 28/09/2022 )

+1 CC to MR.R.L.DILIPAN PANDIAN, Advocate ( SR-10669[I] dated 28/09/2022 )

ORDER

IN

CRL OP(MD) No.17196 & 17198 of 2022

Date :28/09/2022

pnn

<https://www.mhjudiciary.org.in/II/28.09.2022/3P/9C>