



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 29/09/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.17435 of 2022

Balasubramani

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Venkamedu Police Station, Karur District.
Crime No.204 of 2022.

... Respondent/Complainant

For Petitioner : Mr.P.Muthusamy, 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.204 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 28.06.2022 for the offences punishable under Section 392 IPC in crime No.204 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that when the defacto complainant's mother returned from grocery shop at 8.30 am, the petitioner and other accused have snatched the gold chain. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence and his name has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 28.06.2022, hence he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the petitioner is having six previous cases and the snatched gold chain was recovered from the petitioner. He would further submit that investigation has been completed and the charge sheet has also been filed before the concerned Court.

5.Considering the submissions made by the learned counsel on either side and also considering the period of incarceration and also the fact that the charge sheet has been filed, this Court is



6. Accordingly, this Criminal Original Petition is allowed and the petitioner is 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, Karur.

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(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the concerned Court on each and every hearing date without fail;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) 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].

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

sd/-

29/09/2022

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29/09/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
KARUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE
VENKAMEDU POLICE STATION, KARUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.MUTHUSAMY, Advocate (SR-10737[I] dated 29/09/2022)

ORDER

IN

CRL OP(MD) No.17435 of 2022

Date : 29/09/2022

TRP

MK/VR/SAR.I/29.09.2022/2P/7C

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