



Crl.O.P.No.14085 of 2023

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A.D.JAGADISH CHANDIRA,J.,

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The petitioners, who were arrested and remanded to judicial custody on 15.05.2023 for the offence punishable under **Section 379 IPC** in Crime No.174 of 2023 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused committed theft of Sarees from the shop of the defacto complainant. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioner are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners have been languishing in jail from 15.05.2023. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would vehemently oppose for grant for bail to the petitioners stating that the petitioners are habitual offenders and they have been arrayed as A1 to A3 and that there are 11 previous cases against A1 out of which, 9 are similar in nature. Against A2, there are 7 previous cases and as against A3, there are 3 previous cases pending. He further submitted that there is a CCTV Footage to show that the petitioners are the accused who committed the said offence. He would submit



that the investigation has been completed and the charge sheet has been filed and the case has been taken on file in C.C.No.221 of 2023 on the file of the Judicial Magistrate, Sankagiri. There are totally 10 witnesses in this case and 8 witnesses have been examined so far and now the case is posted for examination of Investigating Officer on 28.06.2023 and that the respondent would be able to complete the trial within a period of one month. If bail is granted to the petitioner at this stage, there is every possibility of the petitioner getting absconded and involving in similar nature of offence.

5. Heard both sides and perused the materials available on record including the F.I.R.

6. Taking into consideration the nature of offence and the antecedents of the petitioners and also considering the stage of trial, this Court is not inclined to grant bail to the petitioners.

7. However, a direction is issued to the learned Judicial Magistrate, Sankagiri, to complete the trial and deliver the Judgment within a period of one month from the date of receipt of a copy of this order.

8. With the above directions, the Criminal Original Petitions stand



dismissed.

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Note: Issue order copy on 27.06.2023

Copy to:
The Judicial Magistrate
Sankagiri



Crl.O.P.No.14085 of 2023

23.06.2023



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ksa-2

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