



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 07/07/2023
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.12408 of 2023

Manikanda Selvam

... Petitioner/Accused 3

Vs

The State rep.by
The Inspector of Police,
Mathichiyam Police Station,
Madurai City.
(Crime No.243 of 2023).

... Respondent/Complainant

For Petitioner : Mr.M.KARUNANITHI, Advocate
for M/s. SURESH.M.K, Advocate
For Respondent : Mr.B.NAMBISELVAN,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No.243 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner /Accused, who was arrested on 03.06.2023 for the alleged offence under Sections 379 IPC @ 379, 411, 426, 413, 414 of IPC in Crime No.243 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 13.03.2023 the defacto complainant had parked his vehicle near the Government Hospital, Madurai and the same was found missing. Hence, the complaint. On investigation, it was found that A1, A2 were indulged in committing the offence of theft and A3 used to purchase the stolen vehicles from them, who in turn, dismantled the vehicles and sold the spare parts to different buyers in the market.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case, based on the confession of co-accused. Even as per the prosecution, the petitioner had purchased stolen property from the co-accused. The co-accused has been released on bail, as per order of lower Court on 04.07.2023. The petitioner is in custody from 03.06.2023. Hence, prays to release the petitioner on bail.



4.The learned Additional Public Prosecutor appeared for the respondent would submit that it is found that the petitioner used to purchase the stolen vehicles from A1, A2, who in turn, dismantled the vehicles and sold the spare parts to different buyers in the market. The petitioner has also given a confession statement, in which, he had confessed that 12 vehicles were recovered from him. Hence, prays to dismiss the petition.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6.Considering the facts and circumstances of this case and the fact that the co-accused has already been enlarged on bail as per the order of lower Court and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain 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) each with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Madurai**, and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-

07/07/2023

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07/07/2023

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

PNM

TO

1 THE JUDICIAL MAGISTRATE N.II, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL, THIRUMANGALAM, MADURAI DISTRICT.

4 THE INSPECTOR OF POLICE,
MATHICHIYAM POLICE STATION, MADURAI CITY.

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

+1. CC to M/S. SURESH.M.K Advocate SR.No.10331 (I) DT.07/07/2023.

ORDER IN

CRL OP(MD) No.12408 of 2023

Date :07/07/2023

SA/SAR. /07.07.2023/2P/7C

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