



CRL OP(MD). No.15154 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 23/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN  
CRL OP(MD). No.15154 of 2023

Suresh

... Petitioner/Sole Accused

Vs

The Inspector of Police,  
Government Rajaji Hospital Police Station,  
Madurai District.  
Crime No.80 of 2023.

... Respondent/Complainant

For Petitioner : Mr.S.Pandiyarj,

For Respondent : Mr.B.Nambiselvam,  
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.80 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 22.07.2023 for the alleged offence under Section 379 IPC, in Crime No.80 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 04.07.2023 at about 9.30 p.m., the defacto complainant's sister namely Jeevitha was admitted in Rajaji Hospital,

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



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Madurai, for breathing difficulties. But inspite of medical treatment, she died at about 1.20 p.m. She was wearing the gold jewels weighing about 7 soverigns and when body was handed over, the above said jewels was found missing. So, the complaint has been given.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he is not having any previous case at his credit. The petitioner is in custody from 22.07.2023. The petitioner was working as Cleaner on contract basis in Government Rajaji Hospital, Madurai. Hence, prays to release him on bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that during the course of investigation, it was found that only the petitioner alleged to have stolen the above said jewel from the body of the deceased. Thereafter, the petitioner was arrested and remanded to custody. The jewel has been recovered from the custody of the petitioner from his confession statement. Further, the petitioner is not having any previous case at his credit.

5. The learned counsel for the petitioner further submitted that this is the first offence, which has committed by the petitioner and his wife was also terminated



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because of the offence that is committed by the petitioner during his service.

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6.Considering the facts and circumstances of this case, that the petitioner is not having any previous case at his credit and considering the period of incarceration, 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/-  
23/08/2023

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23/08/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

Indu



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TO  
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1. The Judicial Magistrate No.II, Madurai.
  - 2.The Chief Judicial Magistrate, Madurai.
  - 3.The Superintendent, Central Prison, Madurai.
  4. The Inspector of Police,  
Government Rajaji Hospital Police Station,  
Madurai District.
  - 5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.J.Yesusubananth, Advocate ( SR-12658[I] dated 23/08/2023 )

ORDER  
IN  
CRL OP(MD) No.15154 of 2023  
Date :23/08/2023

KSR/SAR-IV /23.08.2023/ **4P/7C**

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023