



CRL OP(MD). No.16129 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16129 of 2023

Santhosh

... Petitioner/ Accused No.3

Vs

State Rep.by
The Inspector of Police,
Town Police Station,
Srivilliputhur,
Virudhunagar District.
Crime No.317/2023.

... Respondent/ Complainant

For Petitioner : M/s.Ananth Kumar.M, 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. 317 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.3 herein, who was arrested on 25.07.2023 for the alleged offence under Sections 394 of IPC in Crime No.317 of 2023, on the file of the respondent police, seeks bail.



CRL OP(MD). No.16129 of 2023

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2.The case of the prosecution is that on 15.07.2023, at about 8.30 p.m., when the defacto complainant's mother was cooking in her house, the petitioner along with another accused entered into the house by wearing monkey cap, threatened her, attempted to stab her and on knife point, they robbed 6 ½ sovereigns of gold jewels along with one cell phone. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submitted that investigation is pending.

5.On the ground that no allegation has been made against the petitioner with regard to the above said robbery, this petition has been filed. But perusal of CD file shows that all the three accused persons involved in this case. The accused persons were coming in a two wheeler, intercepted and secured by the respondent police. The theft articles have been recovered from them. This petitioner watching the movement of the neighbours and public in the above said occurrence place. Considering the manner in which, the offences said to have been committed, this Court is not inclined to grant bail to the petitioner. There is no guarantee, if the petitioner is released on bail, he will not commit the offence again.



CRL OP(MD). No.16129 of 2023

6. Therefore, this criminal original petition stands dismissed.

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/09/2023

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

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TO

1 THE INSPECTOR OF POLICE, TOWN POLICE STATION, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

2 THE OFFICER INCHARGE, DISTRICT PRISONS, VIRUDHUNAGAR.

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

ORDER

IN

CRL OP(MD) No.16129 of 2023

Date :05/09/2023

RS/JGB/SAR-(12.09.2023) 3P 4C

Madurai Bench of Madras High Court is issuing
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