



WEB COPY

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

Date : 08/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20119 of 2023

R.Arasu,

... Petitioner/ Accused No.2

Vs

The State Rep.by
The Inspector of Police,
Thirupattur Town Police Station,
Sivagangai District.
Crime No. 122/2023.

... Respondent/Complainant

For Petitioner : Mr.S.Atham Ali,
Advocate.

For Respondent : Mr.R.M.S.Sethuraman,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No. 122 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A2 herein, who was arrested and remanded to judicial custody on 07.09.2023 for the alleged offence under Section 379 of IPC, in Crime No.122 of 2023, on the file of the respondent police, seeks bail.



2.The case of the prosecution is that on 18.07.2023 the defacto complainant parked his Royal Enfield two wheeler bearing Reg. No. TN 63 AH 3939 in front of his shop and went to sleep and on 19.07.2023 at about 5.15 a.m., when he woke up and saw his two wheeler he found it missing. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 07.09.2023 and the property was also recovered, hence he seeks bail.

4.The learned Additional Public Prosecutor submitted that the petitioner committed theft of Royal Enfield two wheeler bearing Reg. No. TN 63 AH 3939 . He would further submit that property has been recovered and charge sheet has been filed before the concerned Court.

5.Considering the period of incarceration and the fact that the final report has been filed before the concerned Court and also considering the fact that stolen property has been recovered , this Court is inclined to grant bail to the petitioner with stringent conditions.



6. 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) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thirupathur and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
08/11/2023

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUPATTUR.
- 2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.
- 4 THE INSPECTOR OF POLICE
THIRUPATTUR TOWN POLICE STATION,
SIVAGANGAI DISTRICT



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

ORDER
IN
CRL OP(MD) No.20119 of 2023
Date :08/11/2023

MGJ(08/11/2023) 4P 6C