



CRL OP(MD). No.20113 of 2023

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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.20113 of 2023

R.Arasu

... Petitioner/ Accused No.2

Vs

State Rep.by
The Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai District.
Crime No. 49/2023.

... 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. 49 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.49 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 23.07.2023 the defacto complainant

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



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parked his Honda Activa two wheeler bearing Reg. No. TN 63 BM 1712 in front of Keelasevalpatti Vegetable market and went inside to buy vegetable and after buying vegetable when he came out 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 two wheeler bearing Reg. No. TN 63 BM 1712 . 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



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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

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08/11/2023

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

AAV
TO

1 THE JUDICIAL MAGISTRATE, THIRUPATHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE, KEELASEVALPATTI POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER IN
CRL OP(MD) No.20113 of 2023
Date :08/11/2023

RS//SAR-(08.11.2023) 3P 6C
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