



CRL OP(MD)No.21933 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 13.12.2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD)No.21933 of 2023

1.Sarathi

2.Thirumoorthi

... Petitioners/ Accused No.1 and 2

Vs

The Inspector of Police,
Arumuganeri Police Station,
Thoothukudi District.
In Crime No.32 of 2023

... Respondent/Complainant

For Petitioners : Mr.D.S.Haroon Rasheed, Advocate

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime no.32 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on
21.02.2023 for the alleged offence punishable under Sections 341, 394 and 506(ii) IPC



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altered into Sections 341, 394, 506(ii), 411, 414 IPC in Crime No.32 of 2023, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant is working as a staff in the broiler chicken shop. Usually he went to his shop at about 06.30 am., and return back to home at 2.30 pm., and daily collection amount will be handed over to the owner of the shop by the defacto complainant. While so, on 20.02.2023, when the defacto complainant took the collection amount of Rs.15,000/- to hand over to the owner, three unknown persons waylaid him and robbed his mobile phone, Rs.15,000/- cash and silver bracelet with criminal intimidation. Hence the case.

3.The learned counsel appearing for the petitioners would contend that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are in custody from 21.02.2023, hence he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation in this case has been completed and charge sheet also filed. That apart, P.W.1 to P.W.4 were examined and they have deposed as against the petitioners. Therefore, he strongly objected to grant bail to the petitioners.



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5. Heard both sides and perused the materials available on record.

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6. Considering the fact that the witnesses have deposed as against the petitioners herein, this Court is not inclined to grant bail to the petitioners. Accordingly, this criminal original petition is dismissed.

sd/-
13/12/2023

/ TRUE COPY /

/01/2024
Sub-Assistant Registrar
(C.S. I / II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS
TO

- 1 THE INSPECTOR OF POLICE
ARUMUGANERI POLICE STATION,
THOOTHUKUDI DISTRICT.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.21933 of 2023
Date :13/12/2023

SS/VR/SAR- /03/01/2024/3P/4C

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