



CRL OP(MD).No.5274 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.5274 of 2024

Surya

... Petitioner/ Accused No.3

Versus

The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam,
Virudhunagar District.
(Crime No.76/2024)

... Respondent/Complainant

For Petitioner : Mr.A.Abdul Kabur, Advocate.

For Respondent : Mr.T.Senthil Kumar, Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.76 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.76 of 2024 for the offence under Sections 457, 380 IPC and remanded him into judicial custody on 13.03.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that on 07.03.2024, at about 23.15 hrs., the

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



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petitioner entered into the defacto complainant's shop and committed theft of 5 sovereigns of gold chain worth about Rs.1,50,000/- and the coins worth about Rs.150/-.

3. The learned Additional Public Prosecutor appearing for the respondent Police submits that the petitioner is the friend of A1 and he was found along with A1 just prior to the occurrence.

4. The learned appearing for the petitioner has disputed the same and submits that the petitioner had no acquaintance with A1 and he is not involved in the offence. He further submits that A1 and A2 are yet to be arrested and the respondent Police has not recovered any chain from the petitioner. He further submits that the petitioner is languishing in jail from 13.03.2024. Therefore, he prays for grant of bail.

5. Considering the nature of offence and the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Rajapalayam.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or



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any other identity card issued by the Government in proof of their residence address;

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iii) The petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
08/04/2024

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08/04/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, RAJAPALAYAM NORTH POLICE STATION,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, SRIVILLIPUTTUR.



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

+1 CC TO MR.A.ABDUL KABUR, ADVOCATE, SR-4297[I] Dated 10/04/2024

ORDER IN
CRL OP(MD) No.5274 of 2024
Date :08/04/2024

RS//SAR-(08.04.2024) 4P 7C
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