



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.14410 of 2021

Appu,

...Petitioner

Versus

The State rep by
The Inspector of Police,
Thiruvannamalai East Police Station,
Thiruvannamalai District.
(Crime No.2916 of 2020)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of the Code of Criminal Procedure, to enlarge the petitioner on bail in Crime No.2916 of 2020 on the file of the respondent.

For Petitioner : Mr.S.Marshall

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested on 24.06.2021 and remanded to judicial custody for the offences under Section 392 of IPC, in Crime No.2916 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons had snatched the gold chain worth about 6 sovereigns from the defacto complainant's wife. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case and the petitioner has been in jail from 24.06.2021. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the stolen property was recovered and except this case, there is no previous case pending as against the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.



5. Considering the facts and circumstances of the case and also the fact that the stolen property was recovered and there is no previous case pending as against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

WEB COPY

6. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 Court No.II, Thiruvannamalai, and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police, daily at 10.30 a.m. until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
16/08/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE NO.II,
THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIRUVANNAMALAI EAST
POLICE STATION, THIRUVANNAMALAI DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.MARSHALL Advocate on payment of necessary
charges SR.No.8611

CRL OP.14410/2021

Date :16/08/2021

APN 17/08/2021