



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.Nos.18333 & 18423 of 2021

Selvam

...Petitioner in both the Crl.O.P's

Vs.

State rep by its,
S.I of Police,
Moranam Police Station,
Thiruvannamalai District.
(Crime No.221 of 2021)

... Respondent in Crl.O.P.No.18333/2021

State rep by its,
Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.
(Crime No.603 of 2021)

... Respondent in Crl.O.P.No.18423 /2021

PRAYER in Crl.O.P.No.18333 of 2021 : Criminal Original Petitions have been filed under Section 439 of Cr.P.C prayed to enlarge the petitioner on bail in Crime No.221 of 2021 on the file of the respondent.

PRAYER in Crl.O.P.No.18423 of 2021 : Criminal Original Petitions have been filed under Section 439 of Cr.P.C prayed to enlarge the petitioner on bail in Crime No.603 of 2021 on the file of the respondent.

For Petitioner : Mr.M. Mahendran
(in both petitions)

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



COMMON ORDER

The petitioner in both the Crl.O.P's are one and the same and he was arrested and remanded to judicial custody on 14.07.2021 for the offences under Section 392 of IPC, in two different Crime Nos.221 and 603 of 2021 in two different police stations on the file of the respondent seeks bail.

2. The case of the prosecution in in Crl.O.P.No.18333 of 2021 is that the petitioner snatched gold chain weighing about one sovereign approximately. Hence, the law enforcing agency registered a case against the petitioner.

3. The case of the prosecution in in Crl.O.P.No.18423 of 2021 is that the petitioner snatched gold chain weighing about five sovereign approximately. Hence, the law enforcing agency registered a case against the petitioner.

4. The learned counsel for the petitioner submitted that the petitioner are not involved in the offence and they have been falsely implicated and he is in judicial custody from 14.07.2021 Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the stolen property was recovered in the two cases and apart from these two cases there is no previous cases against the petitioner. However he vehemently opposed for grant of bail to the petitioner.

5. Considering the fact that the stolen property was recovered in the two cases and there is no previous case pending as against the petitioner and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner are ordered to be released on bail on their executing a separate 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, Cheyyar 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/-
01/10/2021

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,
CHEYYAR.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUVANNAMALAI DISTRICT (FOR INFORMATION).

3 THE S.I. OF POLICE,
MORANAM POLICE STATION,
THIRUVANNAMALAI DISTRICT.



4 THE INSPECTOR OF POLICE,
CHEYYAR POLICE STATION,
THIRUVANNAMALAI DISTRICT.

5 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

6 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

+1 CC to M/S.M.MAHENDRAN Advocate on payment of necessary
charges SR.NO.10866

CRL OP.18333 & 18423/2021

Date :01/10/2021

INBA 04/10/2021