



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Cr1.O.P.No.19522 of 2021

Shankar

... Petitioner

Vs.

State represented by
The Inspector of Police,
Rasipuram Police Station,
Namakkal District.
Crime No.1054 of 2021.

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail in Crime No.1054 of 2021 on the file of the respondent police.

For Petitioner : Mr.B.Vasudevan

For Respondent : Mr.L.Baskaran
Government Advocate (Cr1. Side)

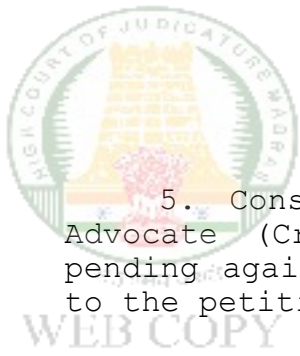
ORDER

The petitioner who was arrested and remanded to judicial custody on 05.09.2021 for the offences under Sections 379 of IPC in Cr.No.1054 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with another accused had committed theft of two wheeler TVS - XL Super bearing registration No.TN 46 C 7125 which belongs to the de-facto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. Therefore, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Cr1.Side) vehemently objects to grant bail stating that two accused persons were involved in this case and both of them have jointly stolen the vehicle namely TVS-XL Super bearing Registration No. TN 46 C 7125 and the same vehicle has been recovered from A1.



5. Considering the submission made by the learned Government Advocate (Crl.side) and further since there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties, out of which one surety shall be a blood relative of the Petitioner/accused, each for a like sum amount each to the satisfaction of the learned Judicial Magistrate, Rasipuram.

(b) While executing the bond, the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judicial / Metropolitan Magistrate may obtain a copy of their Aadhar card or voter identity card or driving license or PAN card or Bank pass Book with photo affixed and attested by Bank Manager to ensure their identity;

(c) the petitioner shall co-operate with the pending investigation and shall report before the respondent Police, daily at 10.30 a.m., until further orders;

(d) the petitioner shall not influence, threaten or coerce the witnesses either during trial;

(e) the petitioner shall not abscond during trial;

(f) on breach of any of the aforesaid conditions, the learned Judicial 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 Judicial 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;

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

-sd/-

12/10/2021

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,
RASIPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL DISTRICT. [FOR INFORMATION]

3 THE OFFICER INCHARGE,
SUB JAIL, RASIPURAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
RASIPURAM POLICE STATION,
NAMAKKAL DISTRICT.

+1 CC to M/S.B.VASUDEVAN Advocate on payment of necessary
charges SR.NO.11422

CRL OP.19522/2021

Date :12/10/2021

RW 13/10/2021