



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.20808 of 2021

1.Rani
2.Gnanasoundari ... Petitioners

Vs.

The State rep. by its
Sub-Inspector of Police,
Tiruvannamalai East Police Station,
Tiruvannamalai District.
(Crime No.707 of 2021) ... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioners on bail in Crime No.707 of 2021 pending investigation on the file of the Respondent Police.

For Petitioners: M/S.OM Sai Ram

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

ORDER

The petitioners, who were arrested on 27.09.2021 and remanded to judicial custody for the offences under Section 399 of IPC in Crime No.707 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the respondent police was on regular raid, they found that the petitioners were in illegal possession of deadly weapons i.e., Iron rods . Hence, the complaint.

3. The learned counsel for the petitioners submits that the petitioners are an innocent persons and they are no way connected with the alleged offences and they have been falsely implicated in this case. Hence he prays for grant of bail to the petitioners.



4. The learned Government Advocate (Crl.Side) submits that petitioners were in illegal possession of deadly weapons i.e., Iron rods.

5. Considering the facts and circumstances of the case and also considering the submissions made by both counsel and also the fact that there is no serious allegations made against the petitioners and further considering the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing bonds 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-II, Tiruvannamalai and on further condition that:

7. Considering the fact that the stolen property has been recovered and and the co-accused was already enlarged on bail and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8. 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, Tiruvannamalai 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.

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-sd/-
02/11/2021

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, TIRUVANNAMALAI

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

3 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMENS, VELLORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUB-INSPECTOR OF POLICE,
TIRUVANNAMALAI EAST POLICE STATION,
TIRUVANNAMALAI DISTRICT.

+1 CC to M/S.OM SAI RAM Advocate on payment of necessary charges
SR.NO.12329

CRL OP.20808/2021

Date :02/11/2021

RW 02/11/2021