



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.20845 of 2021

1.Sunil
2.Monesh

... Petitioners

Vs.

State rep. By
The Inspector of Police,
Mahalingapuram Police Station,
Coimbatore District.
(Crime No.210 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.210 of 2021 on the file of the Respondent Police.

For Petitioners : M/S.W.Camyles Gandhi

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

ORDER

The petitioners who were arrested on 19.09.2021 and remanded to judicial custody for the offences under Section 392 of IPC in Crime No.210 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 06.09.2021, two unknown persons came and thrown chilli power on the fact of the defacto complainant and plucked a bag from her. Hence, the complaint.

3. The learned counsel for the petitioners submits that the petitioners are an innocent person 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 the stolen property has been recovered.

5. Considering the facts and circumstances of the case and also considering the submissions made by both counsel and also the fact that the stolen property has been recovered and further considering the period of incarceration suffered by the petitioner, 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 a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Coimbatore 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 petitioners shall report before the respondent police, daily at 10.30 a.m. until further orders;

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

(d) the petitioners 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 petitioners 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/-

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-I,
COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MAHALINGAPURAM POLICE STATION,
COIMBATORE DISTRICT.



4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. W.CAMYLES GANDHI Advocate on payment of necessary
charges SR.NO.12360

CRL OP.20845/2021

Date :02/11/2021

CSK 02/11/2021