



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.23896 of 2021

WEB COPY

Sakkir Hussain

... Petitioner

Vs.

The Inspector of Police
Mahalingapuram Police Station
Coimbatore, Coimbatore District
Crime No.210 of 2021

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.210 of 2021 on the file of the respondent police.

For Petitioner : Mr.C.D.Sugumar

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

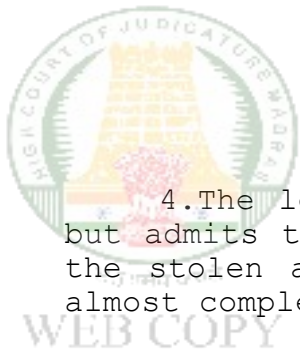
ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 19.09.2021 for the offence under Section 392 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 at about 9.30 hours, the petitioner along with other accused snatched a sum of Rs.54,500/- and a green colour bag containing account books, from the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that this is the second application for bail and the earlier application was dismissed by this Court in Crl.O.P.No.21104 of 2021 dated 10.11.2021 for the reason that the and the petitioner has got one previous case. He would submit that A2 and A3 have been granted bail by this Court in Crl.O.P.No.20845 of 2021 dated 02.11.2021 and that the petitioner has been suffering incarceration for more than 80 days from 19.09.2021. Hence, he would pray for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) raised objection but admits that co-accused have been granted bail by this Court and the stolen amount has been recovered and that the investigation is almost completed.

5. Considering the fact that the co-accused have been granted bail by this Court and the stolen amount has been recovered and that the investigation is almost completed and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

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-II, Pollachi, and on further conditions 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 stay at Karur and report before the Town Police Station on every Tuesday and Sunday at 10.30 a.m. for a period of 3 months and thereafter, report before the respondent police as and when required for interrogation. The petitioner shall also co-operate for the trial proceedings without fail.

(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.

WEB COPY

-sd/-

10/12/2021

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, POLLACHI

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE (FOR INFORMATION)

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

6 THE OFFICER INCHARGE,
KARUR TOWN POLICE STATION,
KARUR

CC to M/S. C.D.SUGUMAR Advocate on payment of necessary charges

CRL OP.23896/2021

Date :10/12/2021

RVR 13/12/2021