



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

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CORAM:

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

Crl.O.P.No.25432 of 2021

S. Panchavaranam

...Petitioner/A2

Vs.

The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai.
(Crime No.742 of 2021)

... Respondent/complainant

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail the petitioner/accused is arrested on 05.11.2021, by the respondent police in connection with the Crime No.742 of 2021 on the file of the Inspector of Police, N-2, Kasimedu Police Station, Chennai District.

For Petitioner : Mr.K.V.Arumugam
for Mr.M. Prakash

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 05.11.2021 for the offences under Section 381, 465, 420 and 506 (ii) of IPC in Crime No.742 of 2021 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner was worked as a Typist-Cum-Assistant under defacto complainant's husband/Harihara Rajan, due to the family dispute defacto complainant living separately from Harihara Rajan, After that Harihara Rajan affected by Brain stroke, who was taken care by the petitioner, later, he died due to Covid 19, After death petitioner hand over the house key to the defacto complainant, then, defacto complainant found Gold jewels and documents were missed in the house. Hence, the complaint.



3. The learned Counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he further submits that she was only worked as typist-cum-Assistant. He further submits that the petitioner has been suffering incarceration for more than 30 days from 05.11.2021. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that petitioner along with her husband taken the Gold jewels and documents from the defacto complainant's husband house and A1 is still absconding. However, he vehemently opposed to grant bail to the petitioner.

5. On Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner and also the fact that the investigation was almost completed, 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 learned XVI MM Court, George Town, Chennai 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 report before the respondent police station 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/-
23/12/2021

This order, on being produced, be punctually observed and carried into execution by all concerned
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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE XVI METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
N-2, KASIMEDU POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
PUZHAL PRISON, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to MR.M. PRAKASH Advocate on payment of necessary charges
SR.NO.15444

CRL OP.25432/2021

Date :23/12/2021

CSK 23/12/2021