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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.Nos.7310 & 7311 of 2020

Suresh ..Petitioner in Crl.O.P.No.7310 of 2020

Kumar ..Petitioner in Crl.O.P.No.7311 of 2020

Vs.

State rep.by,
The Inspector of Police,
Valagaiman Police Station,
Thiruvarur District.
crime No.278 of 2020 ..Respondent in both Crl.O.Ps

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in in connection with Crime No.278 of 2020 pending investigation on the file of the respondent police.

For Petitioners : Mr.Swami Subramanian

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

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ORDER

The petitioners who was arrested and remanded to judicial custody on 08.04.2020 for the offences publishable under **Section 379 of IPC** in **Crime No. 278 of 2020** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners have committed theft of quarter unit of river sand by using bullock cart. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor.

4. Considering the facts and circumstances of the case, the interim bail granted to the petitioners in Crl.O.P.Nos.7310 & 7311 of 2020 dated 23.04.2020 is made absolute on the following conditions;

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[a] the petitioners shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

[b] the petitioners shall not abscond either during investigation or trial.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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].**

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

12.08.2022

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G.K.ILANTHIRAIYAN, J.

Sma

To

1.The Inspector of Police,
Valagaiman Police Station,
Thiruvarur District.

2.The Public Prosecutor,
High Court of Madras

Crl.O.P.Nos.7310 & 7311 of 2020

12.08.2022

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