



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

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

Cr1.OP.No.14073 of 2022

1.Taqi Ali
2.Zahid Abbas
3.Asudulla Khan @ Silav

.. Petitioners/A1 to3

Vs.

State rep.by,
The Inspector of Police,
B-2, Vishnu Kanchi Police Station,
Kancheepuram
crime No.273 of 2022

.. Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in CC.No.53 of 2022 on the file of the Judicial Magistrate-I, Kancheepuram in respect of crime No.273 of 2022 on the file of the respondent police.

For Petitioners : Mr.R.Muthukumar

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 13.03.2022 for the offence punishable under Sections 379 & 420 of IPC in CC.No.53 of 2022 on the file of the Judicial Magistrate-I, Kancheepuram in respect of crime No.273 of 2022 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that on 12.03.2022, when the defacto complainant walked at Railway Road, the petitioners introduced themselves as police officers and alerted her to keep jewels in her



handbag and she did the same. Later, she found the jewels were missing. On the same day, the respondent police, during their vehicle check up, arrested the petitioners and recovered the entire jewels.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays to grant bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are totally three accused, who are the petitioners. He would further submit the property has been recovered from the petitioners. However, he vehemently opposed to grant bail to the petitioners.

5. It is seen that the entire jewels were recovered from the petitioners and the investigation was completed and charge sheet was also filed. The same has been taken cognizance in CC.No.53 of 2022 on the file of the Judicial Magistrate-I, Kancheepuram.

6. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) (each) with two blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Kancheepuram 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 petitioners shall report before the trial court i.e. Judicial Magistrate-I, Kancheepuram daily at 10.30 a.m. and 05.30 p.m. until further orders.

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

[d] the petitioners shall not tamper with evidence or witness 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 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].



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

-sd/-
20/06/2022

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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.I, KANCHEEPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
B-2, VISHNU KANCHI POLICE STATION,
KANCHEEPURAM.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.MUTHUKUMAR Advocate on payment of necessary charges SR.NO.9533

CRL OP.14073/2022

Date :20/06/2022

JPA 20/06/2022