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Crl.OP.No.19335 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2022

CORAM

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

Crl.OP.No.19335 of 2022

1. Seenivasan
2. Sankar
- 3.Nanthu
- 4.Ajay

...Petitioners

Vs.

State represented by
The Inspector of Police,
Pollachi West Police Station,
Coimbatore District.
(Crime No.475 of 2021)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.475 of 2021 on the file of the Inspector of Police, Pollachi West Police Station, and Coimbatore District.

For Petitioners	:Mr.P.Thirumalaivasan
For Respondent	:Mr.A.Gopinath
	Govt Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 25.04.2022 for the offences punishable under Sections 379 of IPC in crime No.475 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that, the petitioners broke open the defacto complainant's car and had taken away a sum of Rs.10,000/- from the car. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and he has been falsely implicated in this case. Hence, he seeks for bail to the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that, apart from the present case, there are three previous cases pending against the petitioners and the petitioners were shown as arrest on PT warrant. Hence, he opposed for grant of bail to the petitioners.



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5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from the date of their arrest i.e., 25.04.2022, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their executing sperate bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with **two blood sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate-I, Pollachi, Coimbatore** 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 respondent police twice daily at 10.30 a.m. and 5.30 p.m., for a period of six weeks and thereafter as and when required for interrogation.

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



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[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.

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To

1. Judicial Magistrate-I,
Pollachi, Coimbatore.
2. The Inspector of Police,
Pollachi West Police Station,
Coimbatore District.
3. Sub Jail,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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