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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25.04.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.7614 of 2022

1. Naveenkumar
2. Parthiban @ Ranjith ... Petitioners/Accused 1 & 2

Vs

The State represented by
The Inspector of Police,
E.Pudur Police Station,
Trichy City.
(Crime No.230 of 2022) ... Respondent/Complainant

For Petitioners : Mr.K.M.Karunakaran,
Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

PETITION FOR BAIL Under Section 439 of Cr.P.C.

PRAYER :-
For Bail in Crime No.230 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A.1 & A.2, who were arrested and remanded to judicial custody on 15.03.2022 for the offences punishable under Sections 452, 392 r/w 397 IPC, in Crime No.230 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that on 13.03.2022 at about 03.50 p.m., the petitioners trespassed into the defacto complainant's house and threatened the defacto complainant with knife and robbed the gold jewels, watch and cash of Rs.25,500/- from him. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor would submit that property has been recovered.

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5.Considering the above facts and circumstances and also the fact that property has been recovered and also taking note of the fact that the petitioners are in judicial custody from 15.03.2022, this Court is inclined to grant bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.2, Tiruchirapalli.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(iii)the petitioners shall not tamper with evidence or witness;

(iv)the petitioners shall not abscond during trial;

(v)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].***

(vi)If the accused / petitioners thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
25/04/2022

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25/04/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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TO

1. THE JUDICIAL MAGISTRATE NO.2,
   TIRUCHIRAPALLI.

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
   TRICHY DISTRICT.

3. THE INSPECTOR OF POLICE,
   E.PUDUR POLICE STATION,
   TRICHY CITY.

4. THE SUPERINTENDENT,
   CENTRAL PRISON, TRICHY.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
   MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7614 of 2022
Date :25/04/2022

CSM
USK/VR/SAR-III/25.04.2022/3P/6C

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