



Crl.OP.No.11958 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.05.2023

CORAM

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.OP.No.11958 of 2023

T.Janardhanan

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
Peelamedu Police Station,
Coimbatore.
Crime No.160 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the Petitioner/Accused No.1 on bail in Crime No.160 of
2023 dated 10.03.2023 on the file of respondent police with own bond.

For Petitioner : Mr.K.Krishnan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)



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ORDER

The Petitioner/A1, who was arrested and remanded to judicial custody on 29.04.2023 for the offences punishable under Section 380 @ 408 of I.P.C in Crime No.160 of 2023 on the file of the Respondent Police, seeks bail.

2. The case of the prosecution is that petitioner along with other accused had illegally taken away 206 grams of gold jewels and Rs.41,166/- from the private safe locker of the Kovai Medical Centre and Hospital. Hence, the complaint.

3. The learned Counsel appearing for the Petitioner would submit that the 4th accused himself had appeared before the Kovai Medical Centre and Hospital authorities in the presence of the petitioner herein, who is an ex-serviceman, who was working as the Chief Security Officer of Kovai Medical Centre Hospital and had given an undertaking stating that he will furnish the 206 grams of missing gold jewels. Therefore, he prays for grant of bail to the Petitioner.



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4. The learned Government Advocate (Crl.side) appearing for the Respondent would submit that on condition to deposit some amount, the bail petition of the petitioner may be consider.

5. Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record including the First Information Report.

6. Considering the above facts and circumstances and also considering the period of incarceration suffered by the Petitioner, this Court is inclined to grant bail to the Petitioner with certain conditions:

7. Accordingly, the Petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of Crime No.160 of 2023 before the learned Judicial Magistrate No.2, Coimbatore and on such deposit, the Petitioner is ordered to be released on bail on his executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with



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two sureties, one surety shall be a blood surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.2, Coimbatore, and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judicial / Metropolitan Magistrate may obtain a copy of their Aadhar card or voter identity card or driving license or PAN card or Bank pass Book with photo affixed and attested by Bank Manager to ensure their identity;

(b) the Petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of Crime No.160 of 2023 before the learned Judicial Magistrate No.2, Coimbatore;

(c) The final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

(d) the Petitioner shall report before the respondent police daily at 10.00 a.m., until further orders;



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(e) the Petitioner shall not influence, threaten or coerce the witness either during investigation or trial;

(f) the Petitioner shall not abscond either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(h) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge himself/herself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(i) if the Accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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SATHI KUMAR SUKUMARA KURUP,J.

Mpl/Jeni

To

1. The Judicial Magistrate No.2,
Coimbatore.
- 2.The Inspector of Police,
Peelamedu Police Station,
Coimbatore.
- 3.The Central Jail,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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