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CrI.OP.No.16571 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.OP.No.16571 of 2023

Pandi @ Subramani

...Petitioner

Vs.

The State Rep by its
The Inspector of Police,
Sulur Police Station,
Coimbatore District.
(Cr.No.404 of 2023)

...Respondent.

PRAYER:

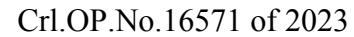
Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail with the Crime No.404 of 2023 pending investigation before the respondent Police.

For Petitioner : Mr.S.Ramesh

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.06.2023 for the offences punishable under Section 454 and 380 I.P.C. in Crime No.404 of 2023 on the file of the respondent police, seek bail.



3. In response, the learned Government Advocate (Criminal Side) submitted that petitioner along with other accused had broke open the door and trespassed into the house of the defacto-complainant and stolen the electrical items, 2 sovereigns of gold jewels, ½ sovereign of hearings and HP laptops. The properties had been recovered. All the accused are arrested. Petitioner is in judicial custody from 19.06.2023. Petitioner has one similar case, registered in the year 2015.

4. Considered the rival submissions and perused the records.

5.Considering the fact that all the accused had been arrested and remanded to judicial custody and that petitioner is in judicial custody



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from 19.06.2023, that stolen goods had been recovered, this Court is inclined to grant bail to the petitioner with conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/-** (Rupees Ten Thousand only) with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Sulur**, 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 petitioner shall report before the respondent Police daily morning at 10.30.a.m., and evening at 5.00 p.m until further orders.

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

[d] the petitioner 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 petitioner in accordance



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with law as if the conditions have been imposed and the petitioner 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 absconds, a fresh FIR can be registered under Section 229A IPC.

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To

1.The Judicial Magistrate, Sulur.

2.The Inspector of Police,
Sulur Police Station,
Coimbatore District.

3.Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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