



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2023

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.19749 of 2023

M.Nagarajan

.. Petitioner/1st Accused

Vs.

State Rep.by
The Inspector of Police,
Pollachi Town East Police Station,
Coimbatore District.
(Crime No. 280/2023)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.280 of 2023 on the file of the respondent police.

For Petitioner : Mr.S.Bharanidharan

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



ORDER

WEB COPY The petitioner herein arrayed as 1st accused. He was arrested on 31.07.2023 for the offence under Section 381 of IPC.

2. According to the prosecution, the petitioner along with others had stolen 80 litres of diesel from the TNSTC Depot at Pollachi.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offences as alleged by the prosecution. He further submitted that he has been falsely implicated in this case. Hence, he pleads for bail.

4. The learned Government Advocate (Crl.Side) appearing for the State submitted that substantial portion of investigation is completed.

5. Considering the facts and circumstances, this Court is of the view that the petitioner may be granted bail. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;



WEB COPY

(a) the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thosand only)** with two sureties, each for a like sum, to the satisfaction of the learned **Judicial Magistrate No.I, Pollachi;**

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) **the petitioner is directed to report before the Investigating Officer as and when required for interrogation;**

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance 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];



Dr.G.JAYACHANDRAN, J.

rpl

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

28.08.2023

rpl

To

1.The Judicial Magistrate No.I, Pollachi.

2.The Inspector of Police,
Pollachi Town East Police Station,
Coimbatore District.

3.The Superintendent,
Central Prison
Coimbatore.

4.The Public Prosecutor,
High Court, Madras.

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