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Crl.OP.No.24089 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

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THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.24089 of 2023

Prem Kumar S/o. Bharathvasan

... Petitioner

Vs.

State by
The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
(Crime No.839 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.839 of
2023 pending on the file of the respondent police.

For Petitioner : Mr.P.Agilan

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.08.2023 for the offences punishable under Sections 454 & 380 of IPC in Crime No.839 of 2023 on the file of the respondent police, seeks bail.

2. It is stated that on 07.08.2023, the petitioner had broken open the house of the defacto complainant and had robbed cash and gold.

3. It is stated that the stolen items had been recovered from the accused and there are two previous cases pending against the petitioner herein.

4. In view of the fact that there had been recovery, I am inclined to grant bail to the petitioner with certain conditions:

5. Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Judicial Magistrate, Sriperumbudur, and on further conditions that:



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[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 appear before the respondent police everyday at 10.30 a.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 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.

18.10.2023

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C.V.KARTHIKEYAN. J.

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To

- 1.The Judicial Magistrate, Sriperumbudur.
- 2.Central Prison-II, Puzhal.
- 3.The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
- 4.The Public Prosecutor,
High Court of Madras.

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