



Crl.O.P.No.24845 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2023

CORAM

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

Crl.O.P.No.24845 of 2023

Karthi S/o. Murugan

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
Moongilthuraipattu Police Station,
Kallakurichi District.

(Crime No.156 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.156 of
2023 on the file of the respondent police.

For Petitioner : Mr.S.Sairaman

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



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ORDER

The petitioner seeks bail in Crime No.156 of 2023, registered by the respondent police for the offences punishable under Section 380 of IPC @ Sections 392, 457 r/w 397 of IPC on 19.08.2023.

2.It is stated that the accused persons had entered into the house of the defacto complainant and had stolen a sum of Rs.4,000/-, one mobile phone and two torch lights. It is also stated that the said mobile phone and torch lights had been recovered and the cash had not been recovered.

3.It is further stated that the matter requires further investigation.

4.Taking into consideration the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner subject to the following 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, Sankarapuram, Kallakurichi District, 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 report 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.

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate, Sankarapuram, Kallakurichi District.
2. The Central Prison, Cuddalore.
3. The Inspector of Police,
Moongilthuraipattu Police Station,
Kallakurichi District.
4. The Public Prosecutor,
High Court of Madras.

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