



WEB COPY



Crl.O.P.No. 25132 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM

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

Crl.O.P.No.25132 of 2023

Yuvaraj @ Dani @ Santhosh @ Raji

... Petitioner

Vs.

The State rep by
The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.
(Crime No.378 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioner / Accused on bail in Crime No.378 of 2023

pending on the file of the respondent Police.

For Petitioner : Mr.T.Dhasarathan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.08.2023, registered by the respondent Police for the offences under Sections 457 and 380 of IPC, in Crime No.378 of 2023, seeks bail.

2.After the investigation, the final report had been filed and taken



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cognizance as C.C.No.63 of 2023 and trial is now pending before the learned Judicial Magistrate, Sankarapuram, Kallakurichi District. The matter is now posted for examination of further witnesses on 03.11.2023.

3.It is stated on the side of the respondent that the petitioner had stolen 3 ½ sovereigns of gold jewellery from the house of the defacto complainant. The stolen property had been recovered.

4.To provide opportunity to the petitioner to effectively defend the case, this Court is 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 learned Judicial Magistrate, Sankarapuram, Kallakurichi District 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 learned



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Judicial Magistrate, Sankarapuram everyday and also during the Court hearing dates, till completion of the trial;

[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.

02.11.2023

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To

1. The Judicial Magistrate,
Sankarapuram, Kallakurichi District.
2. The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi District.



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3. The Central Prison, Salem.

4. The Public Prosecutor,
High Court of Madras.

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