



Crl.O.P.No.26273 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023

CORAM

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

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1.Sundar S/o. Santhanam
2.Vignesh S/o. Ranganathan ... Petitioners/ Accused-1&2

Vs.

The State rep by
The Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.

(Crime No.582 of 2023) ...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioners on bail in Crime No.582 of 2023
pending investigation on the file of the respondent police.

For Petitioners : Mr.T.M.Mano

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



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ORDER

The petitioners/A1 & A2 seek bail in Crime No.582 of 2023, registered by the respondent police for the offences punishable under Sections 448, 294(b), 394, 395, 506(ii) of IPC and subsequently altered to Sections 448, 294(b), 394, 395, 506(ii) & 397 of IPC.

2.It is the case of the prosecution that the petitioners and other accused had entered into the house of the defacto complainant and had assaulted him and attempted to rob the jewels and cash. It is stated that the actual reason is that the petitioners had borrowed money from the defacto complainant and had given title deeds of a particular property and they had tried to recover the said title deeds from the defacto complainant.

3.Taking into consideration the fact that the said offence is a fall out of loan, which had been obtained by the petitioners, which had not been repaid but which would naturally be on the mind of the petitioners herein, I am inclined to grant bail to the petitioners subject to the following conditions:



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4. Accordingly, the Petitioners are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Cheyyar, Thiruvannamalai 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 Petitioners shall report the respondent police everyday at 10.30 a.m., until further orders.

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

[d] the Petitioners 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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners released on bail by the learned



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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, Cheyyar, Thiruvannamalai District.
- 2.The Central Prison, Vellore.
- 3.The Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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