



WEB COPY



CrI.OP.No.26668 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

CORAM

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

CrI.OP.No.26668 of 2023

1.Sabari
2.Chinna

...Petitioners

Vs.

The State represented by its
The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District.
Crime No.781 of 2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioners on bail in Crime No.781 of 2023 on the file of the respondent Police.

For Petitioners : Mr.M.Kantharajan

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

ORDER

The Petitioners, who were arrested and remanded to judicial custody on 14.11.2023 for the offence punishable under Section 399 of



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IPC, in Crime No.781 of 2023 on the file of the respondent police, seek bail.

2.It is stated that the petitioners were found in preparing to commit decoity by the respondent. All the accused are in judicial custody. As against these petitioners are concerned, there are two previous cases against them.

3.Taking into consideration the period of incarceration undergone by the Petitioners, this Court is inclined to grant bail to the Petitioners with certain conditions.

4.Accordingly, the Petitioners are ordered to be released on bail on condition to execute a separate 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 No.I, Tiruvannamalai, 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 before the respondent daily at 10.30 a.m., until further orders;



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[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 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.

28.11.2023

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To

- 1.The Judicial Magistrate No.I, Tiruvannamalai.
- 2.Central Prison, Vellore.
- 3.The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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