



Crl.O.P.No.26979 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

CORAM

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

Crl.O.P.No.26979 of 2023

Kabil
S/o.Lachathipathy

...Petitioner/Accused-3

Vs.

State rep.
The Inspector of Police,
Thiruvannamalai Taluk Police Station,
Thiruvannamalai.

(Crime No.766 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to grant bail to the petitioner pending investigation in Crime No.766 of 2023, on the file of the Respondent police on such terms and conditions.

For Petitioner : Mr.D.Balaji

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



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ORDER

The petitioner/A3 seeks bail in Crime No.766 of 2023, registered by the respondent police for the offences punishable under Section 399 of IPC. The petitioner had been remanded to Judicial custody on 14.11.2023.

2.It is stated that all the accused persons had prepared to commit dacoity ,which was detected by the respondent and they had been taken into custody. There is no previous case against the petitioner herein.

3.Taking into consideration all these factors, I am inclined to grant bail to the petitioner subject to the following conditions.

4.Accordingly, the petitioner is ordered to be released on bail on his executing 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 No.II, Tiruvannamalai, Tiruvannamalai District and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.



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[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.

29.11.2023

rjr/ata



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C.V.KARTHIKEYAN. J.

rjr

To

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

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