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Crl.O.P.No.27863 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2023

CORAM

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

Crl.O.P.No.27863 of 2023

Suresh S/o. Chinnapaiyyan

... Petitioner/Accused-1

Vs.

The State represented by
The Inspector of Police,
Thiruchengode Town Police Station,
Namakkal District.

(Crime No.317 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.317 of 2023 on the file
of the respondent police on such terms and conditions.

For Petitioner : Mr.C.Deepak Kumar

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



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ORDER

The petitioner seeks bail in Crime N.317 of 2023, registered by the respondent police for the offences punishable under Sections 457 & 380 of IPC and he had been remanded to custody on 22.10.2023.

2.It is stated that the defacto complainant was renovating her house and the petitioner, who was one of the employee in the said renovation work had stolen 20 ½ sovereigns of gold and cash of Rs.90,000/-. On a complaint being given, he had been taken into custody.

3.It is stated that there has been recovery of all the golden jewels and cash of Rs.70,000/-. There is no previous case against the petitioner herein.

4.Taking into consideration all these factors, 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 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, Thiruchengode, and on further conditions that :-



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[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.

[b] the petitioner shall appear 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.

13.12.2023

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C.V.KARTHIKEYAN, J.

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To

1.The Judicial Magistrate, Thiruchengode.

2.The Inspector of Police,
Thiruchengode Town Police Station,
Namakkal District.

3.The Central Prison, Salem.

4. The Public Prosecutor,
High Court of Madras.

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