



WEB COPY



CrI.O.P.No.28672 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM

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

CrI.O.P.No.28672 of 2023

Vijay
Petitioner/A4

...

Vs.

The State Rep. by
The Inspector of Police,
E-2, Peelamedu Police Station,
Coimbatore District.
Crime No.787 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.787 of 2023 on the file
of the respondent.

For Petitioner : M/s.Dass and Viswa Associates

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



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ORDER

The petitioner / A4 who was arrested and remanded to judicial custody on 01.12.2023 for the offences punishable under Sections 120B and 420 IPC in Crime No.787 of 2023 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the defacto complainant is the landlord and A1 and A2 were inducted as tenant in the property at Door No.23, Site No.104, 3rd Cross Street, Sengaaliyappa Nagar, Peelamedu, Coimbatore. Thereafter, A1 and A2 had leased out the property to another person claiming that they are the owners of the property and had received a sum of Rs.10,00,000/- as lease amount. It is stated that A2 and A3 had been granted bail. It is also stated that this petitioner is a driver of A4.

3.Taking all these factors into consideration, this Court is inclined to grant bail to the petitioner.

4.Accordingly, the petitioner is ordered to be released on bail on executing 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 - II, Coimbatore, and on further conditions that :-



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[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 appear before the respondent police daily 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.

22.12.2023

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C.V.KARTHIKEYAN, J.

smv

To

1. The Judicial Magistrate No.II, Coimbatore.
- 2.The Inspector of Police,
E-2, Peelamedu Police Station,
Coimbatore District.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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22.12.2023