



CrI.O.P.No.29085 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.12.2023

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

Criminal Original Petition No. 29085 of 2023

Veeramani, (M/33)
S/o.Muniraj,
No.61, Narikuravar Colony,
Kattamaduvu,
Tiruvannamalai,
Tamilnadu – 606 703.

...Petitioner/Accused

Versus

The State represented by
The Inspector of Police,
Hosur Town Police Station,
Cr. No. 728 of 2023

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No. 728 of 2023 on the
file of respondent police pending investigation.

For Petitioner : Mr. B. Sathish Kumar.

**For Respondent : Mrs. G.V. Kasthuri
Additional Public Prosecutor.**



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ORDER

The petitioner seeks bail in Crime No. 728 of 2023 on the file of respondent police for the offence punishable under Section 379 of the Indian Penal Code. The petitioner was arrested and remanded to custody on 22.11.2023.

2. The case of the prosecution is that while the defacto complainant was travelling from Chennai to Hosur through Government bus along with her mother, the petitioner along with the other accused had theft 13 sovereign of gold jewels from the defacto complainant's travel bag and hence has committed the offence of theft under Section 379 of the Indian Penal Code.

3. Learned counsel for petitioner submits that the name of the petitioner is not in the First Information Report and he has been working in a E.Com Express Courier & Express Bizz for the past five years and he is an innocent person and he has nothing to do with the alleged offence. He further submits that no previous case is pending against the



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petitioner and the investigation has been completed and he is languishing in jail from 22.11.2023.

4. Learned Additional Public Prosecutor submits that the petitioner along with other accused had theft 13 sovereigns of gold jewels from the defacto complainant and out of the said jewels, only 6 sovereigns were recovered and 7 sovereigns is yet to be recovered and thus, opposed for granting bail to the petitioner.

5. Considering the rival submissions on either side and also considering the fact that 6 sovereigns of gold jewels has been recovered and that the investigation has been completed and charge sheet has been filed and also considering the period of incarceration, I am inclined to grant bail to the petitioner, subject to certain conditions.

6. 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



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learned Judicial Magistrate II, Hosur 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 cards or Bank pass Books to ensure their identity;
- [b] the petitioner shall report before the learned Judicial Magistrate No.II, Hosur 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



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Section 229A IPC.

29.12.2023

ay/ss

To

- 1.The Judicial Magistrate II,
Hosur.
- 2.The Sub Jail,
Krishnagiri.
- 3.The Inspector of Police,
Hosur Town Police Station,
- 4.The Public Prosecutor,
High Court of Madras.



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P. DHANABAL, J

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