



Crl.O.P.No.1291 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

CORAM

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

Crl.O.P.No.1291 of 2024

1.Mohamed Hanfa S/o. Abdul Jabar
2.Saleem S/o. Shahul Hameed
3.Ramkumar S/o. Kanakaraj

...Petitioners/Accused 1 -3

Vs.

State represented by
The Inspector of Police,
Thirunindravur Police Station,
Avadi, Chennai.

(Crime No.353 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail concerned in Crime No.353 of
2023 on the file of the respondent police on such terms and conditions.

For petitioners : Mr.M.Jaisingh

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



Crl.O.P.No.1291 of 2024

WEB COPY

ORDER

The petitioners/A1 to A3 in Crime No.353 of 2023, registered by the respondent for the offences under Section 397 of IPC and thereafter, altered to Sections 397 & 109 of IPC, seek bail. The petitioners had been remanded to custody on 30.12.2023.

2.It is the case of the prosecution that when the defacto complainant was returning home, on 28.12.2023 at around 9.15 p.m., the accused persons tried to snatch a sum of Rs.20,000/- from the defacto complainant but however, general public came and prevented the theft from being committed.

3.It is stated by the learned Government Advocate (Crl. Side) for the respondent that there are no previous cases against the petitioners and investigation has been practically completed.



4.Taking all the factors into consideration and also the fact that there are no previous cases against the petitioners and that investigation has been practically completed, I am inclined to grant bail to the petitioners subject to the following conditions:

5.Accordingly, the petitioners are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate II, Thiruvallur, 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 police everyday at 10.30 a.m., until further orders.

[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.



Crl.O.P.No.1291 of 2024

WEB COPY

[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.

29.01.2024

ata



WEB COPY



Crl.O.P.No.1291 of 2024

To

1. The Judicial Magistrate II, Thiruvallur.
2. The Superintendent,
Central Prison, Puzhal.
3. The Inspector of Police,
Thirunindravur Police Station,
Avadi, Chennai.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.1291 of 2024

C.V.KARTHIKEYAN. J.

ata

Crl.O.P.No.1291 of 2024

29.01.2024