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Crl.O.P.No.1716 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

CORAM

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

Crl.O.P.No.1716 of 2024

Krishnan S/o. Rasu

...Petitioner/Accused-4

Vs.

State represented by
The Inspector of Police,
Vellakovil Police Station,
Tiruppur District.
(Crime No.466 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in Crime No.466 of 2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.S.Arjun

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

ORDER

The petitioner/A4 in Crime No.466 of 2023, registered by the respondent for the offences under Sections 392, 395, 397, 120(b) and 411 of IPC, seeks bail. The petitioner had been remanded to custody on



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28.11.2023.

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2.It is stated that all the accused, had robbed about 38 sovereigns of gold from the house of the defacto complainant but however, the stolen articles had been recovered.

3.It is stated that A1, A7, A8 A9 and A11 had been detained under Tamil Nadu Act 14 of 1982.

4.So far as this petitioner is concerned, the specific overt act against this petitioner is that he had identified the house of the defacto complainant.

5.It is also stated that one motorcycle and one car had been seized from this petitioner and also four grams of stolen jewellery had been recovered from this petitioner. It would only indicate that the petitioner was actually involved in the offence but however, taking into consideration the period of incarceration and the fact that there is no previous case against the petitioner, I am inclined to grant bail to the petitioner herein subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction



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of the Judicial Magistrate, Kangeyam, 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 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.

31.01.2024

ata

C.V.KARTHIKEYAN. J.

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To



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1. The Judicial Magistrate, Kangeyam.

2. The Central Prison, Coimbatore.

3. The Inspector of Police,
Vellakovil Police Station,
Tiruppur District.

4. The Public Prosecutor,
High Court of Madras.

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