



Crl.O.P.No.3397 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM

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

Crl.O.P.No.3397 of 2024

M.Y.Sunil Kumar

...Petitioner

Vs.

State represented by
The Inspector of Police,
Keelamangalam Police Station,
Krishnagiri District.
(Crime No.7 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.7 of 2024 pending on the file of the respondent Police.

For petitioner : Mr.B.Aravinthan

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 31.01.2024, registered for the offence under Section 392 of IPC and



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subsequently, altered to Sections 392, 397 r/w 120b of IPC, in crime No.7 of 2024 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that on 11.01.2024, the accused had entered into the house of the defacto complainant and robbed gold jewellery and escaped in the motorcycle.

3.The learned counsel for the petitioner stated that the petitioner is prepared to abide by any conditions as imposed by this Court.

4.The learned Government Advocate (crl.side) stated that the petitioner is a permanent resident of Karnataka and there is every possibility of the petitioner absconding from judicial process.

5.A memo had been filed by the petitioner stating that the father of the petitioner namely Mr.M.Yellappa, S/o.Munivenkatappa, residing at Mugalabele, Kolar, Karnataka, is prepared to stand as surety to him.

6.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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each with two sureties, out of which, **one must be a blood surety**, each for a like sum to the satisfaction of the learned Judicial Magistrate cum District Munsif, Denkanikottai, 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, at 10.30 a.m., until further orders.

[c] the learned Judicial Magistrate cum District Munsif, Denkanikottai, may verify the credentials of the blood surety mentioned by the petitioner in the memo filed before this Court.

[d] the petitioner shall file a copy of the memo which has been filed before this Court, before the trial Court at the time of executing sureties.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance



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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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

20.02.2024

vkr

To

1. The Judicial Magistrate cum District Munsif, Denkanikottai.
2. The District Jail, Krishnagiri.
3. The Inspector of Police,
Keelamangalam Police Station,
Krishnagiri District.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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