



CrI.O.P.No.3917 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

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

**CrI.O.P.No.3917 of 2024**

Gokul

...petitioner

Vs.

State represented by  
The Station House Officer,  
Katterikuppam Police Station.  
(Crime No.04 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.04 of 2024 on the file of the respondent Police.

For petitioner : Mr.A.Vignesh

For Respondent : Mr.K.S.Mohandass  
Public Prosecutor (Puducherry)  
Assisted by Mrs.N.Danalatchumy

### **ORDER**

The petitioner who was arrested and remanded to judicial custody on 11.01.2024 registered by the respondent Police for the offences under



CrI.O.P.No.3917 of 2024

Sections 41(1) & 102 of Cr.P.C and 25(1-A) of Arms Act and later, altered to Sections 379 and 34 IPC and 25(1-A) of Arms Act, in Crime No.04 of 2024, seeks bail.

2. There are totally three accused. A1 is a Juvenile and the petitioner is arrayed as A2. There is yet another accused A3 who is in judicial custody.

3. The case of the prosecution is that the respondent on a routine vehicle checkup, had intercepted a motorcycle which was driven by the accused without any number plate. When it was questioned, they did not also have the papers of the motorcycle. However, a knife was recovered. Thereafter, it was found that they had stolen two other motorcycles.

4. It is stated by the learned Public Prosecutor (Puducherry) that all the motorcycles have been recovered.

5. 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:

6. 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)



CrI.O.P.No.3917 of 2024

each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Puducherry 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].



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CrI.O.P.No.3917 of 2024

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

21.02.2024

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To

1. The Judicial Magistrate No.III, Puducherry.
2. The Kalapet Prison, Puducherry.
3. The Station House Officer,  
Katterikuppam Police Station.
4. The Public Prosecutor, High Court of Madras.



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Crl.O.P.No.3917 of 2024

**C.V.KARTHIKEYAN. J.**

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Crl.O.P.No.3917 of 2024

21.02.2024