



Crl.O.P.No.4170 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

CORAM

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

Crl.O.P.No.4170 of 2024

- 1.Gajendran @ Gaja
- 2.Vijayaragavan @ Ragavan
- 3.Karthikeyan @ Karthi
- 4.Sarathi @ Parthasarathi

...Petitioners

Vs.

State represented by
The Inspector of Police,
Velankanni Police Station,
Nagapattinam District.
(Crime No.42 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.42 of 2024 on the file of the respondent Police.

For Petitioners : Mr.J.Jawahar

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

ORDER



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The petitioners who were arrested and remanded to judicial custody on 30.01.2024 for the offences registered by the respondent Police under Sections 294(b), 352, 506(ii) and 379 of IPC r/w Section 4 of TNPHW Act in Crime No.42 of 2024, seek bail.

2.The case of the prosecution is that the defacto complainant and his family members had gone to a pilgrimage at Velankanni and when they were shopping, the accused persons attacked them and stolen a gold chain.

3.The learned Government Advocate (crl.side) stated that the stolen property had been recovered.

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

5. Accordingly, the petitioners are ordered to be released on bail on executing a 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 learned **District Munsif cum Judicial Magistrate, Kilvelur** and on further conditions that :-

[a] the sureties shall affix their photographs and Left



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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.

[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.

22.02.2024

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C.V.KARTHIKEYAN. J.

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To

1. The District Munsif cum Judicial Magistrate, Kilvelur.
2. The District Jail, Nagapattinam.
3. The Inspector of Police,
Velankanni Police Station,
Nagapattinam District.
4. The Public Prosecutor, High Court of Madras.

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