



CrI.O.P.No.5056 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM

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

CrI.O.P.No.5056 of 2024

1.Santhosh
2.Pandithurai

...Petitioners

Vs.

State represented by
The Inspector of Police,
Kangeyam Police Station,
Tiruppur.
Crime No.84 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.84 of 2024 on the file of the respondent Police.

For Petitioners : Mr.P.Thinesh
For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)

ORDER

The petitioners who were arrested and remanded to judicial custody on 15.02.2024 for the offences registered by the respondent



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Police under Sections 120(b), 147, 341, 342, 365, 395 & 506(ii) of IPC, in Crime No.84 of 2024, seek bail.

2.It is stated that the defacto complainant, a real estate agent, and two other borrowers have gone over for inspection of the land. At that time, the accused had come over there and asked them to see their land. The accused then abducted the defacto complainant and two others and had taken away a sum of Rs.4,00,000/- and gold and two mobile phones and from one of the other person, who have accompanied the defacto complainant, through google pay a sum of Rs.1,05,000/- had been transferred.

3.It is stated that A3, A6, A7 and A12 who are identified, are still absconding.

4.Taking all the 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



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satisfaction of the learned 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 petitioners shall report before the respondent Police, everyday at 10.30 am., until further orders.

[c] the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) each to the credit of Crime No.84 of 2024 before the learned Judicial Magistrate, Kangeyam. On such deposit, the learned Magistrate had hand over the same to the defacto complainant.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] 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].



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

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To

1. The Judicial Magistrate, Kangeyam.
2. The Central Prison, Tiruppur.
3. The Inspector of Police,
Kangeyam Police Station,
Tiruppur.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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