



Crl.O.P.No.5540 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2024

CORAM

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

Crl.O.P.No.5540 of 2024

1.H.Santhosh
2.Prasanth @ Prasanthraj
3.P.Vignesh
4.A.Ajaybala

...Petitioners

Vs.

State represented by
The Inspector of Police,
Thirupathur Town Police Station,
Thirupathur District.
Crime No.33 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.33 of 2024 on the file of the respondent Police.

For Petitioners : Mr.S.Suresh
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 20.01.2024 for the offences registered by the respondent Police under Sections 363, 364(A), 324, 384, 387, 506(ii) of IPC, in Crime No.33 of 2024 seek bail.

2.It is stated that A5 became acquainted with one Mrs.Asha and there were various transactions between them. It is stated that the said lady pressurised him to marry her and he had refused. Thereafter, the defacto complainant was kidnapped by the petitioners and an amount Rs.1,00,000/- and Hyundai Car were taken away from him. It was under those circumstances, the complaint was lodged and the FIR was registered.

3.It is stated by the learned Government Advocate (crl.side) that the car and all other materials which had been taken away by the accused had been recovered. A5 had been granted bail by this Court in Crl.O.P.No.2626 of 2024 on 28.02.2024.

4.Let all the issues be examined during the course of trial.

5.Taking into consideration the period of incarceration and the fact that there has been recovery of the car, cash and cheques which had been



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taken away from the defacto complainant and also of the fact that A5 had been granted bail, this Court is inclined to grant bail to the petitioners subject to the following conditions:

7. 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 Judicial Magistrate No.I, Thirupathur 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 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



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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.

06.03.2024

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To

1. The Judicial Magistrate No.I, Thirupathur.
2. The Central Prison, Vellore.
3. The Inspector of Police,
Thirupathur Town Police Station,
Thirupathur District.
4. The Public Prosecutor, High Court of Madras.

C.V.KARTHIKEYAN. J.

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