



Crl.O.P.Nos.6860 & 7209 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

CORAM

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

Crl.O.P.Nos.6860 & 7209 of 2024

D.Rajan ..Petitioner in Crl.O.P.No.6860 of 2024

1.D.Siva Vinayagam
2.B.Vighnesh ..Petitioners in Crl.O.P.No.7209 of 2024

Vs.

State represented by
The Inspector of Police,
Udumalpet Police Station,
Udumalpet, Tiruppur District.
(Crime No.619 of 2023).

...Respondent in both Crl.O.Ps

COMMON PRAYER: Criminal Original Petitions are filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.619 of 2023 on the file of the respondent police.

In both Crl.O.Ps.

For Petitioners : M/s.M.Kalyani

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



Crl.O.P.Nos.6860 & 7209 of 2024

WEB COPY

COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 23.11.2023 for the offences originally registered by the respondent Police under Sections 380, 454, 457 IPC and later, altered to Sections 380 and 457 IPC in Crime No.619 of 2023 on the file of the respondent, seek bail.

2.The petitioner in Crl.O.P.No.6860 of 2024 is arrayed as A1 and the petitioners in Crl.O.P.No.7209 of 2024 are arrayed as A2 and A3.

3.The case of the prosecution is that the accused persons had broke open the door of the house of the defacto complainant and stolen gold jewellery of nearly 12 sovereigns.

4.The learned Government Advocate (crl.side) stated that the stolen properties had been recovered. He further stated that there are 29 previous cases as against A1 and there are 7 previous cases as against A2 and A3 respectively. He also stated that the investigation has been completed and final report had been filed and it had been taken cognizance as C.C.No.8 of 2024 by the Judicial Magistrate No.I, Udumalpet.

5.Taking all other factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioners subject



to the following conditions:

6. Accordingly, the petitioners are is ordered to be released on bail on condition to execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.I, Udumalpet**, 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 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



WEB COPY



CrI.O.P.Nos.6860 & 7209 of 2024

Kerala [(2005)AIR SCW 5560].

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

26.03.2024

vk

To

- 1.The Judicial Magistrate No.I, Udumalpet.
2. The Central Prison, Coimbatore.
- 3.The Inspector of Police,
Udumalpet Police Station,
Udumalpet, Tiruppur District.
- 4.The Public Prosecutor, High Court of Madras.

C.V.KARTHIKEYAN. J.

vk



WEB COPY



Crl.O.P.Nos.6860 & 7209 of 2024

Crl.O.P.Nos.6860 & 7209 of 2024

26.03.2024