



Crl.O.P.No.7009 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM

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

Crl.O.P.No.7009 of 2024

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...Petitioner/Accused-2

Vs.

State represented by
The Inspector of Police,
Foreshore Estate Police Station,
Chennai.

(Crime No.34 of 2024)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.34 of
2024 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.M.Vinoth

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



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ORDER

The petitioner/A2 in Crime No.34 of 2024, registered by the respondent police for the offences under Section 379 of IPC and remanded to judicial custody on 23.02.2024, seeks bail.

2.It is stated that the defacto complainant attended a wedding on 22.02.2024 and was wearing three sovereign gold bangle and later she had found it was missing. It is stated that the respondent had found the CCTV camera and had taken into custody the petitioner herein.

3.The learned counsel for the petitioner stated that the defacto complainant had left the bangle on the table while eating and while cleaning the table, the petitioner had thought it was waste item and cleaned that also.

4.Taking into consideration since all those factors will have to be examined during the course of trial, I am inclined to grant bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction



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of the XXIII Metropolitan Magistrate, Saidapet, Chennai, 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., for a period of two weeks and thereafter, as and when required for interrogation.

[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].

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

22.03.2024

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C.V.KARTHIKEYAN. J.
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To

1. The XXIII Metropolitan Magistrate, Saidapet, Chennai.
2. The Sub Jail, Saidapet.
3. The Inspector of Police,
Foreshore Estate Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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