



Crl.O.P.No.7823of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM

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

Crl.O.P.No.7823 of 2024

1. Riyas Ahmed

2. Arshth

3. Mubarak Ali

... Petitioners

Vs.

The State Rep by
Inspector of Police,
Pernambut Police Station,
Pernambut, Vellore District (Crime No.100 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioners on bail in Crime No.100 of 2024 on the file
of the respondent.

For Petitioners : Mr.G. Vinodh Kumar

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 26.02.2024 , for the offences registered under Sections 379 of
I.P.C in Crime No.100 of 2024 on the file of the respondent Police, seek bail.



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2. The case of the prosecution is that the petitioners had stolen the bike belonging to the defacto complainant. Hence the complaint.

3. The learned Government Advocate for the respondent submitted that investigation has been completed and charge sheet has been filed. He further stated that the stolen property has been recovered.

4. Taking into consideration the period of incarceration and the fact that the stolen property was recovered, I am inclined to grant bail to the petitioners subject to the following conditions:

5. Accordingly, the petitioners are ordered to be released on bail on condition to execute a 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 , Gudiyatham** 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.



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[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.

28.03.2024

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C.V.KARTHIKEYAN, J.

smn

To

- 1.The **Judicial Magistrate, Gudiyatham**
- 2.Inspector of Police,
Perambut Police Station,
Perambut, Vellore District (Crime No.100 of 2024)
- 3.The Central Prison, Vellore
4. The Public Prosecutor, High Court of Madras.

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