



Crl.O.P.No.11427 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

Crl.O.P.No.11427 of 2024

Vigneshwaran @ Vicky

...Petitioner

Vs.

State represented by its
The Inspector of Police,
Avinashi Police Station,
Tiruppur.
(Crime No.68 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in C.C.No.65 of 2024 on the file of the Judicial Magistrate, Avinashi in Crime No.68 of 2024 on the file of the respondent police.

For petitioner : Mr.S.Senthilvel

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody



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on 10.02.2024 for the offence under Section 420 of IPC in C.C.No.65 of 2024, on the file of the Judicial Magistrate, Avinashi, in connection with Crime No.68 of 2024, seeks bail.

2. The petitioner, who was taken into judicial custody on 10.02.2024 based on the complaint given by one Aasik. The petitioner is alleged to have exchanged gold jewels and after exchange, when the shop keeper verified it was found to be copper. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he is no way connected with the offence as alleged by the prosecution. He is wantonly implicated in this case. Hence, seeks bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police submitted that if the petitioner is released on bail, he would indulge in similar type of offence and would tamper the witnesses. Hence, he opposed to grant bail to the petitioner.



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5. Taking into consideration the facts and circumstances and the submissions made by the learned counsels, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the conditions that the petitioner shall 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 of the learned Judicial Magistrate, Avinashi 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 Judicial Magistrate once in a week on every Monday at 10.30 a.m., until further orders.

[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.



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[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.

08.05.2024

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To

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



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K. KUMARESH BABU. J.

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