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Crl.O.P.No.12625 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.05.2024

CORAM :

THE HON'BLE MR. JUSTICE C.SARAVANAN

Crl.O.P.No.12625 of 2024

Kirubakaran

... Petitioner/Accused No.2

Vs.

The State represented by,
The Inspector of Police,
Karimangalam Police Station,
Dharmapuri.
Crime No.454 of 2023.

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail, in Crime No.454 of 2023 on the file
of the respondent police.

For Petitioner : Mr.S.Arulselvan

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

ORDER

The petitioner who is the second accused in Crime No.454 of
2023 for the alleged offences under Sections 392 IPC was remanded to
judicial custody on 08.03.2024 seeks bail.



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2.The learned Government Advocate (Crl.Side) for the respondent

Police confirms that the petitioner is the second accused in the said offence, which has been registered in Crime No.454 of 2023 and that the investigation is complete and the stolen articles were also recovered from the accused persons.

3. Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

4. Recording the above submission of the learned Government Advocate (Crl.Side) for the respondent Police, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing 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 District Munsif cum Judicial Magistrate No.1, Karimangalam** and on further conditions that:



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[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 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]***;



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

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Note:

*1.Registry is directed to forthwith upload this
order in the official website of this Court.*

*2.All concerned to act on this order being
uploaded in official website of this Court without
insisting on certified hard copies. To be noted,
this order when uploaded in official website of
this Court will be watermarked and will also
have a QR code.*

To

1. The District Munsif cum Judicial Magistrate No.1,
Karimangalam.
- 2.The Inspector of Police,
Karimangalam Police Station,
Dharmapuri.
Crime No.454 of 2023.
3. The Central Jail, Salem.
4. The Public Prosecutor,
High Court of Madras.



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C.SARAVANAN.,J.

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