



Crl.O.P.No.12448 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2024

CORAM

THE HON'BLE MR. JUSTICE S.SOUNTHAR

Crl.O.P.No.12448 of 2024

Periyaraman

... Petitioner/A-2

Vs.

The State rep. by its,
The Inspector of Police,
Palladam Police Station,
Tiruppur.
Crime No.321 of 2024

... Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.321 of 2024 on the file of
the respondent Police.

For Petitioner : Mr.J.Franklin

For Respondent : Ms.Inshiya Farveen Iqbal
Government Advocate (Crl. Side)



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ORDER

The petitioner who was arrested and remanded to judicial custody on 05.04.2024 for the offences under Sections 457, 380, 511 of I.P.C., in Crime No.321 of 2024 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 05.04.2024 at about 01.00 a.m., when the petitioner along with other accused said to have attempted to break open Durgai Amman temple vault to steal money, they were caught by the villagers.

3. The learned counsel for the petitioner stated that he is an innocent person and he has been falsely implicated in this case. He would also submit that the 1st accused was granted bail by the Judicial Magistrate, Palladam vide Crl.M.P.No. 73 of 2024, dated 02.05.2024.

3.The learned Government Advocate (crl.side) raised objections stating that there are 12 previous cases pending against the petitioner and investigation is almost completed.

4.Having regard to nature of allegation made against the petitioner



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and taking into consideration, the period of incarceration and also of the fact that A1 was granted bail as early as on 02.05.2024 and the investigation is almost completed, this Court is 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, **(one must be a blood surety)**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Palladam**, 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., 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.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the



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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.

29.05.2024

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To

- 1.The Judicial Magistrate,
Palladam.
- 2.The Inspector of Police,
Palladam Police Station,
Tiruppur.
- 3.The District Jail, Tiruppur.
4. The Public Prosecutor,
High Court of Madras.

S.SOUNTHAR, J.



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