



Crl.O.P.No.21476 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.21476 of 2024

1. R.Thilaga

2. A.Rani

...Petitioners/Accused No.1 and 2

Vs.

The Inspector of Police,
Perumanallur Police Station,
Tiruppur District.
(Crime No.514 of 2023)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioners on bail in Crime No.514 of 2023 on the file of respondent police.

For Petitioners : Mr.Deepanuday

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 18.07.2024 for the offence under Section 379 of the Indian Penal Code in Crime No.514 of 2023 on the file of the respondent police, seek bail.

2. The case of the prosecution is that when the defacto complainant was travelling in a bus, the petitioners snatched the chain of the defacto complainant. Hence the complaint.

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution, and they have been falsely implicated in this case. He further submitted that the petitioners had been in custody since 18.07.2024; that they are law-abiding citizens; that they are ready to furnish substantial sureties for their due release on bail; and therefore, he prays for the grant of bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that when the defacto complainant was travelling in a bus, the petitioners snatched the chain of the defacto complainant. He further submitted that there are six previous cases pending against the first petitioner alone; and that the stolen property was recovered. However, he vehemently opposed the grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the representation made by both sides, that already the property was recovered, that the FIR was registered on 21.11.2023, that though the first petitioner has some previous cases in all cases, she was released on bail and also taking into consideration the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail on



their executing 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 – Avinashi, Tiruppur District* and on further conditions that:

[a] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of 30 days and thereafter, as and when required for the interrogation;

[b] the petitioners shall attend in accordance with the conditions of the bond;

[c] the petitioners shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[d] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[e] the petitioners shall not abscond either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance



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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]; and

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

04.09.2024

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To

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



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P.DHANABAL, J.

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