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Crl.O.P.No.21348 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.21348 of 2024

1.R.Thilaga

2.A.Rani

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Perumanallur Police Station,
Tiruppur District.
(Crime No. 517 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioners on bail, in Crime No. 517 of 2023 on the
file of the respondent Police.

For Petitioners : Mr.Deepan Uday

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 18.07.2024, for the alleged offences punishable under Section



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379 of IPC, in Crime No.517 of 2023, on the file of the respondent police, seek bail.

2. The case of the prosecution is that, on 22.11.2023 at about 10.00 a.m, when the defacto complainant was travelling on a bus, the petitioners along with other accused persons are alleged to have snatched 6 sovereigns of gold jewels from the defacto complainant. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case, since they have got some previous cases. They have not committed any offence as alleged in the FIR. He would further submit that the petitioners were arrested and they are in judicial custody for more than 45 days and they are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that on the date of the alleged occurrence, when



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the defacto complainant was travelling on a bus, at that time, the petitioners along with other accused persons are alleged to have snatched 6 sovereigns of gold jewels from the defacto complainant. He further submitted that the property was recovered from them. He further submitted that the petitioners have 8 previous previous cases, pending against them. He further submitted that the investigation was completed and the charge sheet has also been filed. Hence, he opposed to grant bail to the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the nature of offence and considering the period of incarceration undergone by the petitioners, and the property was recovered, and investigation was completed and the final report has also been filed and also considering the fact that though the petitioners have 8 previous cases, in all the cases, they have been released on bail, and also considering all others factors, I am inclined to grant bail to the petitioners, subject to certain conditions.



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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, for a like sum to the satisfaction of the Judicial Magistrate, Avinashi, Tiruppur District, and on further conditions that:-

[a] the petitioners shall report before the concerned Jurisdictional Magistrate on all working days at 10.30 a.m., for a period of 30 days and thereafter as and when required for interrogation.

[b] the petitioners shall not commit any offences of similar nature.

[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 Judicial 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

02.09.2024

drl

To

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



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P.DHANABAL, J.

drl

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