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Crl.O.P.No.21949 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.09.2024

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

Crl.O.P.No.21949 of 2024

Vedhamani

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
D-1, Ramanathapuram Police Station,
Coimbatore
(Crime No. 45 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioner on bail, in C.C. No.574 of 2024 pending on
the file of Judicial Magistrate No.6, Coimbatore.

For Petitioner : Mr.P. Thinesh

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

ORDER

The petitioner seeks bail in C.C. No.574 of 2024 pending on the
file of Judicial Magistrate No.6, Coimbatore. for the alleged offences



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punishable under Section 379 of IPC, in Crime No.45 of 2024, on the file of the respondent police. The petitioner was arrested and remanded to judicial custody on 26.03.2024,

2. The case of the prosecution is that the petitioner stolen the gold chain belonging to the defacto complainant worth about Rs.40,000/- . Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submit that he has not committed any offence as alleged in the FIR. He was arrested and is in judicial custody for more than 90 days and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner stolen the gold chain belonging to the defacto complainant worth about Rs.40,000/- approximately. He further submitted that the stolen property was recovered. He further submitted that the petitioner has eight previous cases, similar in



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nature, pending against him. However, he strongly opposed to grant bail to the petitioner.

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

6. Considering the submission of the learned counsel on either side, considering the period of incarceration undergone by the petitioner and also taking note of the fact that stolen property was recovered from the petitioner and considering that the petitioner has eight previous cases, in which, he has been released on bail, and also considering all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. 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 Judicial Magistrate No.6, Coimbatore and on further conditions that:-

[a] the petitioner shall report before the Judicial Magistrate No.6, Coimbatore on all working days everyday at 10.30 a.m., until further orders.



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

[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 Judicial 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 269 BNS.

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To

1.The Judicial Magistrate No.6, Coimbatore

2.The Inspector of Police,
D-1, Ramanathapuram Police Station,
Coimbatore.

3.The Superintendent,
Central Prison,
Coimbatore

4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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