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Crl.O.P.No.28558 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.28558 of 2023

Sridhar

... Petitioner

Vs.

The State represented by
The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai.

Crime No.171 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.171 of 2023 on the file
of the respondent.

For Petitioner : Mr.R.Sasikumar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 13.11.2023, for the offences registered under Sections 457 and 380 of
IPC, in Crime No.171 of 2023 on the file of the respondent Police, seeks
bail.



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2. It is the case of the prosecution that the defacto complainant had locked his godown and returned to his house and later, on 08.11.2023, the neighbour of the defacto complainant informed that the CCTV cameras in the godown had been broken and the petitioner along with other accused trespassed into the godown and committed theft of cash of Rs.4,50,000/-.

3. Taking into consideration the period of incarceration and also considering all other surrounding factors particularly that investigation has been completed, I am inclined to grant bail to the petitioner subject to the following conditions:

4. 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, each for a like sum to the satisfaction of the learned VIII Metropolitan Magistrate, George Town, Chennai, 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., for a period of three weeks and thereafter, report before the VIII Metropolitan Magistrate, George Town, Chennai,



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everyday, till the date of framing of charges and thereafter, during the Court hearing dates.

[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].

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

03.01.2024

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To

- 1.The Metropolitan Magistrate No.VIII, George Town, Chennai.
- 2.The Inspector of Police,
C-3, Seven Wells Police Station,
Chennai.
- 3.The Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

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