



CRL OP(MD). No.4252 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD). No.4252 of 2024

Abindoss

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
Cr.No.82/2024.

... Respondent/Complainant

For Petitioner : Mr.P.Venkatesan
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.82/2024 on the file of the Respondent Police.



CRL OP(MD). No.4252 of 2024

ORDER : The Court made the following order :-

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The petitioner / A2, who was arrested and remanded to judicial custody 18.02.2024 for the alleged offence punishable under Sections 379 IPC in Crime No.82 of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the vehicle of the defacto complainant's son was found missing. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. He would further submit that the petitioner was arrested and remanded to judicial custody from 18.02.2024. He would further submit that the property has been recovered from the petitioner and hence, he prays for bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that that the property has been recovered from the petitioner. He would further submit one previous cases is pending against the petitioner, which is similar in nature. Hence, he vehemently opposed for grant of bail



CRL OP(MD). No.4252 of 2024

to the petitioner.

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5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and considering the period of incarceration suffered by the petitioner and also considering the fact that the property has been recovered from the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following 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 learned Judicial Magistrate, Pattukottai 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 is directed to appear before the respondent police daily at

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CRL OP(MD). No.4252 of 2024

10.30 A.M, until further orders;

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(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond 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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
18/03/2024

/ TRUE COPY /

18/03/2024
Sub-Assistant Registrar (CS -II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

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CRL OP(MD). No.4252 of 2024

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1. THE JUDICIAL MAGISTRATE, PATTUKOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJORE DISTRICT @ KUMBAKONAM.
3. THE OFFICER IN CHARGE, SUB JAIL, THANJAVUR.
4. THE INSPECTOR OF POLICE,
PATTUKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.VENKATESAN, Advocate (SR-3294[I] dated 18/03/2024)

ORDER
IN
CRL OP(MD) No.4252 of 2024
Date :18/03/2024

RK/(18/03/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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