



CRL OP(MD). No.12563 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.12563 of 2024

J.Naveen Kumar,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thennilai Police Station, Karur
District. (Crime No.180/2024)..

... Respondent/Complainant

For Petitioner : C.S. Saravanan,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PRAYER :- For Bail in Crime No.180/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 14.07.2024 for the offences punishable under Sections 319(2) and 305(a) BNS, 2023 in crime No.180 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner came to the defacto complainant's shop and introduced himself as Food Safety Officer and stolen a sum of Rs 52,000/- and his bike. Hence, the complaint.



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3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 14.07.2024, hence, he may be granted bail.

4.The learned Government Counsel would submit that portion of the amount has been recovered (ie.Rs.10,000/-) from the petitioner and he is not having any previous case. He would further submit that investigation of the case is pending and hence, he strongly opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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, Aravakurichi, and on further conditions that;

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;



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(ii)the petitioner shall report before the Inspector of Police, Erode Taluk Police Station, Erode, daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial.

v)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].

vi)If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

Sd/-

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1 THE JUDICIAL MAGISTRATE,
ARAVAKURICHI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, KARUR DISTRICT.

3 THE INSPECTOR OF POLICE
THENNILAI POLICE STATION, KARUR DISTRICT.
(CRIME NO.180/2024).

4 THE OFFICER INCHARGE
SUB JAIL, KARUR.

5 THE INSPECTOR OF POLICE
ERODE TALUK POLICE STATION, ERODE.

6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to C.S. SARAVANAN Advocate SR.No.9291

ORDER
IN

CRL OP(MD) No.12563 of 2024

Date :02/08/2024

MGJ/05.08.2024/4P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.