



CRL OP(MD). No.19540 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Senthilkumar

... Petitioner/ Accused 1

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Thanjavur East Police Station,
Thanjavur District.
Cr.No.803 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.K.M.Karunakaran, Advocate

For Respondent : Mr.S.Ravi
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Cr.No.803 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 05.09.2024 for the alleged offence under Sections 332(c), 309(4), 311 of



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BNS in Crime No.803 of 2024, on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the accused persons barged into the shop and robbed 18 ½ sovereigns of jewels from the defacto complainant at knife point. There are two accused persons in this case and the petitioner has been arrayed as Accused No.2

3.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the accused persons were involved in a daylight robbery and that both the accused persons were arrested and Identification Parade has already been conducted in this case. The learned Additional Public Prosecutor further submitted that the entire jewels that were stolen has been recovered in the course of investigation. It was further submitted that there is no previous case against this petitioner.

4.The learned counsel appearing for the petitioner submitted that the co-accused/A2 has already been enlarged on bail by this Court in Crl.O.P(MD) No.18699 of 2024, dated 07.11.2024. Therefore, the learned counsel requested this Court to enlarge the petitioner on bail by imposing stringent conditions.

5.Taking into consideration the facts and circumstances of the case and also of the fact that the entire stolen property has been recovered and the petitioner has suffered incarceration from 05.09.2024 onwards and there are no previous cases



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against the petitioner and that the co-accused has already been enlarged on bail, this

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Court is inclined to grant bail to the petitioner subject to the following conditions:

6. 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, out of which one surety shall be a blood relative each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur 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 appear before the respondent Police daily at 10.30 a.m. and 05.30 p.m until further orders;

[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



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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.

sd/-
12/11/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO

1 THE JUDICIAL MAGISTRATE NO.I,
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE,
THANJAVUR EAST POLICE STATION,
THANJAVUR DISTRICT.



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

ORDER
IN
CRL OP(MD) No.19540 of 2024
Date :12/11/2024

SA/SAR. /12.11.2024/5P/6C

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