



CRL OP(MD). No.22367 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22367 of 2024

Subha,

... Petitioner/ Sole Accused

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Sengipatti Police Station,
Thanjavur District.
(Crime No.450 of 2024)

... Respondent / Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No.450 of 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



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02.11.2024 for the alleged offences under Sections 329 and 305(a) of BNS, in Crime

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No.450 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is said to have trespassed into the marriage hall and committed theft of 4 ½ sovereigns of gold ring which was captured in the CCTV camera.

3. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the petitioner has 6 previous cases similar in nature, out of which, the petitioner was convicted in 1 case and acquitted in 3 cases and 2 other cases are pending trial. He further submitted that the petitioner has the habit of committing such theft repeatedly and therefore, the learned Additional Public Prosecutor vehemently opposed the grant of bail to the petitioner.

4. The learned counsel appearing for the petitioner submitted that the petitioner has suffered incarceration from 02.11.2024 and that except for one case, she was acquitted in 3 cases similar in nature.

5. Heard the learned counsel on either side and perused the material records of the case.



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6. Taking into consideration the facts and circumstances of the case and considering the fact that the stolen property has been recovered and the petitioner has suffered incarceration from 02.11.2024 and taking note of the previous cases against the petitioner, this Court is inclined to grant bail to the petitioners 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 Court No.III, Thanjavur, Thanjavur District, 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 learned respondent police daily at 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
18/12/2024

/ TRUE COPY /

18/12/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL



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TO

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- 1 THE JUDICIAL MAGISTRATE NO.III
THANJAVUR, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
SENGIPATTI POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, THANJAVUR, THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.22367 of 2024

Date :18/12/2024

SS/SAR- /18/12/2024/ 5P/6C

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