

IN THE COURT OF JUDICIAL MAGISTRATE, AVINASHI
PRESENT : Tmt. K.S. Shabeena, B.A.B.L.,
Judicial Magistrate, Avinashi

On Wednesday, the 12th day October 2022

C.M.P. No.5077/2022

in

E.Crl.M.P.No.1382/2022

Dhilip Kumar

..... Petitioner/Accused

Vs

State rep by,
The Inspector of Police,
Thirumuruganpoondi Police Station,
Crime No.714/2022
U/s.454, 380 of IPC

..... Respondent/Complainant

This petition has come up on 10.10.2022 for final hearing before me in the presence of Thiru.P.Thirumoorthi, B.A.B.L., the Learned counsel appearing for the petitioner and the Learned Assistant Public Prosecutor appearing for the Respondent and upon hearing both side and upon perusal of the records, this court delivers the following.

ORDER

This is an application filed by the petitioners/accused to enlarge their on bail under Section 437 of Cr.P.C.

The Gist of Prosecution: That on 14.09.2022 the accused involved in theft of the defacto complainant's company and committed the alleged offence and thereby case has been registered against the accused u/s.454,380 of IPC in Crime No.714/2022 by Thirumuruganpoondi Police station.

The Gist of the Petitioner: The petitioners/accused submit that the respondent police has registered the above case for the alleged offence U/s.457, 380 of IPC and the petitioner is an innocent person and he was falsely implicated in this case. He is the bread winner of his family. The petitioner/accused is ready to furnish sufficient sureties for the satisfaction of the court and he prays enlarge him on bail.

Objection filed by the prosecution : The learned Public prosecutor has submitted that the investigation is still pending. If the petitioner is released on bail, he will abscond, tamper and threaten the witnesses, will indulge in the same type of offence, will not appear before the Court and hence the prosecution side strongly opposes for grant of bail to the petitioner .

On going to the material documents produced before this court, it is seen that the accused was remanded 16.09.2022 and considering the facts and circumstances of the case and on seeing the gravity of the offence and the age of the accused, In the interest of Justice, this court is inclined to grant him bail on the following condition.

1. The accused shall execute a bond for a sum of Rs.10,000/- each with two surety each (one blood relationship and with Adhar Card or bank pass book xerox, E.B Bill or bank pass book xerox, E.B Bill receipt, Gas bill receipt, water tax any one of the receipts which show the original residential address in name of the surety).

2. The accused should be present before the concern police station and sign every morning 10.30 A.M for 30 days.

3. The accused shall provide his/her residential address to the respondent police and in change of the residential address the same shall be intimated to the respondent police.

4. The accused shall co-operate with the respondent police for the investigation and shall appear before this court on summons.

5.This petition is allowed accordingly

Dictated to the Steno Typist, typed by her in the office computer, corrected and pronounced by me in the open Court on the 12th day of October 2022.

Sd/K.S.Shabeena
Judicial Magistrate,
Avinashi.