

CRL.O.P.No.15041 of 2016

S.VAIDYANATHAN, J.

The petitioner, who was arrested under P.T. Warrant on 24.5.2016 for the alleged offence punishable under Sections 341, 392, 397 and 506(ii) IPC, in Crime No.164 of 2016 on the file of the respondent police, **seeks bail.**

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side).

3. The case of the prosecution is that the petitioner is alleged to have waylaid the defacto complainant and robbed him at knife point.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and a false case has been foisted against him. He would further submit that the petitioner is under incarceration for more than 80 days.

5. Learned Government Advocate (Crl. Side) submitted that the petitioner was implicated in this case based on a confession given by him in another case.

6. Considering the facts and circumstances of the case and taking note of the fact that the petitioner is under judicial custody for more than 80 days, this Court is inclined to release the petitioner on bail. **Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:**

(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five Thousand Only) with two sureties, each for a like sum to the satisfaction of the **Judicial Magistrate II, Chengalpattu;**

(ii) the petitioner is directed to appear before the respondent police daily twice at 10.30 a.m., and 5.30 p.m., until further orders;

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

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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]**.

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18.7.2016

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