



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2022

CORAM:

THE HON'BLE MR.JUSTICE DR.G.JAYACHANDRAN

Cr1.O.P.No.4252 of 2022

Franklin Josepraj

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Periyanaickenpalayam Police Station,
Coimbatore District.
(Crime No.963 of 2021)

.. Respondent

PRAYER: Criminal Original Petition has been filed to enlarge the petitioner on bail in P.R.C.No.117 of 2021 on the file of the Judicial Magistrate No.V, Coimbatore.

For Petitioner : Mr.M.Rajakumar

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner/A3, who was arrested and remanded to judicial custody on 20.08.2021 for the offences punishable under Sections 394, 397, 457 of IPC in Crime No.963 of 2021, on the file of the respondent police, seeks bail.

2. The petitioner is the third accused and the case has been registered against four accused. It has been stated that on completion of investigation, the respondent police has filed final report in PRC NO.117 of 2021 and therefore, there is no necessity to detain the petitioner herein in prison at pre trial stage. It is also stated that the all the other co-accused have been granted bail.

3.Learned Additional Public Prosecutor appearing for the respondent submitted that this petitioner is facing six similar cases and therefore if he is released on bail, he will be repeating the crime.



4. Considering the rival submissions and to ensure that the petitioner will not involve in similar crime, the petitioner is ordered to be released on bail subject to the following conditions;

(a) 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 learned Judicial Magistrate No.V, Coimbatore.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to appear before the Investigating Officer daily at 10.30 a.m. for 30 days and thereafter as and when required and in case, if he involves in similar crime, it is open to the respondent police for cancellation of the bail granted.

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

(e) on breach of any of the aforesaid conditions, the learned Judicial 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 229A IPC.

-sd/-

01/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.V, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]



3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

4 THE INSPECTOR OF POLICE,
PERIYANAICKENPALAYAM POLICE STATION,
COIMBATORE DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. THOMAS SARAN SINGH Advocate on payment of necessary
charges

CRL OP.4252/2022

Date :01/03/2022

RW 02/03/2022