



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8508 of 2022

Krishnamoorthy

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Mathur Police Station,
Krishnagiri District.
(Crime No.99 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.99 of 2022 pending investigation on the file of the respondent police.

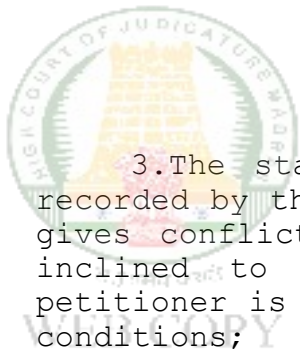
For Petitioner : Mr.E.Kannadasan

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, who was arrested on 17.03.2022 for the offences punishable under Sections 365 of IPC subsequently altered into 120 (B), 34, 344, 364(A), 365 of IPC in Crime No.99 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein was arrested on 17.03.2022 on the complaint given by the wife of the victim who was allegedly abducted by the petitioner and others for extorting money. Around Rs.1,46,000/-, which was alleged to have been deposited by the defacto complainant into the account of her husband was alleged to have been withdrawn by the accused persons using ATM card at various places by confining the husband of the defacto complainant in illegal custody.



3. The statement of the defacto complainant and the victim was recorded by the Investigating Officer under Section 161(3) of Cr.P.C. gives conflicting version of the incident. Hence, this Court is inclined to grant bail to this petitioner. Accordingly, 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.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Pochampalli;

(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. until further orders.

(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/-
19/04/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, POCHAMPALLI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MATHUR POLICE STATION,
KRISHNAGIRI DISTRICT

4 THE OFFICER INCHARGE
DISTRICT JAIL, DHARMAPURI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S E.KANNADASAN Advocate on payment of necessary
charges SR.NO.5816

CRL OP.8508/2022

Date :19/04/2022

JPA 19/04/2022