



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN

CRIMINAL ORIGINAL PETITION No.12397 of 2022

MOORTHY

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
GENGAVALLI POLICE STATION,
SALEM DISTRICT
CRIME NO.135 OF 2022

[RESPONDENT]

For Petitioner : M/S.E.KANNADASAN Advocate

For Respondent : M/S.E.RAJ THILAK, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(1)The petitioner who is arrayed as A1 out of three accused and who was arrested on 06.05.2022 for the alleged offences punishable under Sections 341, 394 read with 397 of IPC in Crime No.135 of 2022 on the file of the respondent police, seeks bail.

(2)Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

(3)There appears to be a series of incidents where three accused have waylaid various persons and had threatened them, necessitating in registration of successive crime numbers as against the accused persons by the respondent police. All those incidents happened on 06.05.2022.



(4) Taking into consideration the period of incarceration already suffered by the petitioner and also his age, this Court is inclined to grant bail to the petitioner.

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(5) 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, No.II, Attur, and on further condition 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 respondent police daily at 10.30 am., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[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 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/-

01/06/2022

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.II, ATTUR, SALEM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM DISTRICT. [FOR INFORMATION]



3 THE INSPECTOR OF POLICE,
GENGAVALI POLICE STATION,
SALEM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
SUB JAIL, ATTUR.

+1 CC to M/S.E.KANNADASAN Advocate on payment of necessary
charges SR.NO. 8305

CRL OP.12397/2022

Date :01/06/2022

RW-01/06/2022