



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12415 of 2022

SURYA @ NAGAMANIKKAM

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ANAIMALAI POLICE STATION,
ANAIMALAI,
COIMBATORE DISTRICT.
CRIME NO. 319 OF 2022.

[RESPONDENT]

For Petitioner : M/S. C.VEERARAGHAVAN Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

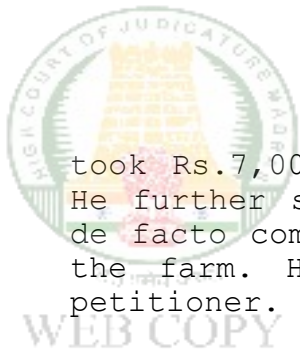
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 01.04.2022 for the alleged offences under Sections 342, 364A, 294 (b), 323 and 506(ii) IPC in Crime No.319 of 2022 on the file of the respondent police, seek bail.

2. The contention of the petitioner is that he is only an employee under A1 and he had gone to A1's farm to pluck tender coconuts, wherein, there was wordy quarrel A1 and the de facto complainant. He was simply present there and he has nothing to do with their quarrel. He further submitted that he was arrested on 01.04.2022.

3. The learned Additional Public Prosecutor submitted that the petitioner along with the other three persons have kidnapped the de facto complainant and taken him to an isolated place in a car and



took Rs.7,000/- from him. Thereafter left the de facto complainant. He further submitted that there is some dispute between A1 and the de facto complainant with regard to plucking of tender coconuts from the farm. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner only an employee and he has no bad antecedents and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner subject to following conditions.

6. 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 Metropolitan Magistrate-I, Pollachi and on further conditions 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 daily for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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/-

25/05/2022

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.1, POLLACHI, COIMBATORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE OFFICER INCHARGE,
SUB JAIL, POLLACHI.

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

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. C.VEERARAGHAVAN Advocate on payment of necessary
charges SR.NO. 7835

CRL OP.12415/2022

Date :25/05/2022

RW-26/05/2022