



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.OP.No.13674 of 2022

P.Pandian

..Petitioner

Vs.

The State rep. by
Inspector of Police,
Karuppur Police Station,
Salem City
crime No.78 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.78 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Parthasarathy

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.05.2022 for the offence punishable under Sections 364, 365, 392 & 397 of IPC in crime No.78 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 06.03.2022 at 01.30 p.m., the accused persons forcibly entered into the defacto complainant's house and kidnapped him and demanded Rs.10,00,000/-. Thereafter, he was forced to call his relative asking money. Therefore, he called to his sister and she came and gave Rs.5,000/- and ½ sovereign of gold article. After getting the same, they went from that place saying that Rs.1,00,000/- should be given the next day. Hence, the case.



3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the defacto complainant is a rich person doing real estate business in his locality, therefore the accused persons kidnapped him and demanded money. He would further submit that some of the accused persons were given anticipatory bail by this Court in CrI.OP.No.6829 of 2022 dated 24.03.2022.

5. Considering the above facts and circumstances of the case and also considering that the co-accused were already granted anticipatory bail by this Court, this Court is inclined to grant bail to the petitioner. 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 blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-II, Salem 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 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

[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.

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-sd/-

14/06/2022

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-II,
SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KARUPPUR POLICE STATION,
SALEM CITY.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.PARTHASARATHY Advocate on payment of necessary charges SR.No.9036

CRL OP.13674/2022

Date :14/06/2022

CSK 14/06/2022