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Crl.OP.No.15752 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2022

CORAM

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

Crl.O.P.No.15752 of 2022

Sasikumar @ Mettur Sasi

...Petitioner

Vs.

State, Rep. by
The Inspector of Police,
Annadhanapatty Police Station,
Salem.
Crime No.277 of 2022

...Respondent

PRAYER:-Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No. 277 of 2022 on
the file of the Respondent Police, pending investigation.

For Petitioner : Mr.R.Rajan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.06.2022 for the offence under Sections 341, 392, 397 and 506(ii) IPC, in Crime No.277 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner waylaid the defacto complainant and snatched a sum of Rs.700/- and 2 sovereigns of gold chain from the defacto complainant at a knife point. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. That apart, the petitioner was arrested and remanded to judicial custody on 16.06.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that investigation completed and the property has been recovered. He further submitted that there are four previous cases pending against the petitioner and the petitioner is an History Sheeter in H.S.No.186 of 2022. Hence, he vehemently opposed to grant bail to the petitioner.



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5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner i.e., from 16.06.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, 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 **Principal Sessions Judge, 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 stay at Chennai and report before the Thriruvotriyur police twice daily at 10.30.a.m. and 4.30.p.m., for a period of four weeks and thereafter report before the respondent police daily at 10.30.a.m., 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.



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[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.

07.07.2022

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To

1. Principal Sessions Judge, Salem
2. The Inspector of Police,
Annadhanapatty Police Station,
Salem.
3. The Central Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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