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CrI.OP.No.17320 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2022

CORAM

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

CrI.OP.No.17320 of 2022

S.Rajesh

...Petitioner

Vs.

State Inspector of Police,
T-14 Mangadu Police Station,
Chennai.

Cr. No.427 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in the above Cr. No.427/2022 on
the file of the respondent.

For Petitioner : Mr.S.Senthilvel
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 02.06.2022 for the offences punishable under Sections 341,
294(b) & 323, 392, 397 & 506(2) of IPC in crime No.427 of 2022 on the
file of the respondent police, seeks bail.



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2. The case of the prosecution is that *de-facto* complainant is running a iron scrap shop. On the date of occurrence, petitioner along with others came to the *de-facto* complainant's shop and demanded mamool. As the same was refused by the *de-facto* complainant, by placing knife on the neck of the *de-facto* complainant, they robbed a sum of Rs.6,400/- from the cash box. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 02.06.2022. Hence, he prays for grant of bail to the petitioner.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e. 02.06.2022, 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 sureties**, each for a like sum to the satisfaction of the **learned J.M, Sriperambadur, Kancheepuram District** and on further conditions that:



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[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 twice daily at 10.30 a.m. and 5.30 p.m. for a period of six weeks and thereafter 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.

25.07.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The J.M, Sriperambadur, Kancheepuram District.
- 2.The Inspector of Police,
T-14 Mangadu Police Station,
Chennai.
- 3.Central Prison,
Puzhal-II, Chennai.
- 4.The Public Prosecutor,
High Court of Madras

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