



Crl.O.P.No.18701 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2022

CORAM

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

Crl.O.P.No.18701 of 2022

Pannir @ Pannirselvam
...Petitioner

Vs.

The State rep by
The Inspector of Police,
Karuppur Police,
Salem District.
Crime No.229 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.229 of 2022 on the
file of the Inspector of Police, Karuppur Police Station, Salem District.

For Petitioner	: Mr.R.Lokeshwaran
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.06.2022 for the offences under Sections **342, 364, 365, 420, 307, 392 and 397 of IPC** in crime No.229 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, the defacto complainant and his brother are doing real estate business. On the day of occurrence, the accused took the defacto complainant stating that there was a land for sale at cheap price in Hosur. It is alleged that, on the way, the accused assaulted the defacto complainant and obtain his signatures in stamp papers, empty pro-note and also snatched a sum of Rs.8,000/- and a gold chain weighing about 3 1/2 sovereign. Hence, the case.

3.The learned counsel appearing for the petitioner submits that, due to money transactions dispute between the petitioner and the defacto complainant, a false case has been lodged. That apart, the petitioner was arrested and remanded to judicial custody on 30.06.2022. Hence, he prays for grant of bail to the petitioner.



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4. The learned Additional Public Prosecutor submits that, the petitioner kidnapped the defacto complainant for ransom and thereby obtain his signatures in stamp papers, empty pro-note and also snatched a sum of Rs.8,000/- and a gold chain weighing about 3 1/2 sovereign. Hence, he opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner ie., from 30.06.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with **two blood sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate II, Aathur** 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.



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[b]petitioner shall report before the respondent police twice daily at 10.30.a.m., and 04.30.p.m., for a period of four 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.

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To:

1. Judicial Magistrate II,
Aathur.
2. The Inspector of Police,
Karuppur Police,
Salem District.
3. Central Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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