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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2022

CORAM

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

Crl.OP.No.17880 of 2022

Karthick ...Petitioner

Vs.

State rep. by
The Inspector of Police,
Annadanapatty Police Station,
Salem District.
(Crime No.276 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.276 of 2022 on the file of the Respondent Police.

For Petitioner :Mr.W.Camyles Gandhi
For Respondent :Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.06.2022 for the offences punishable under Sections 341, 392, 397 and 506(ii) of IPC in crime No.276 of 2022 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that petitioner waylaid the *de-facto* complainant and snatched a sum Rs.2,000/- and a cell phone worth about Rs.500/- from him at knife point. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 30.06.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that stolen property has been recovered from the petitioner. He further submitted that there are six previous cases pending against the petitioner. Hence, he vehemently opposed to grant bail to the petitioner.

5. 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., 30.06.2022, 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**

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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 stay at Kalpakkam and report before the Inspector of Police, Kalpakkam Police Station twice daily at 10.30 a.m. and 5.30 p.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.

[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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mpl

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G.K.ILANTHIRAIYAN, J.

mpl

To

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

Crl.O.P.No.17880 of 2022

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