



Crl.O.P.No.18500 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2022

CORAM

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

Crl.O.P.No.18500 of 2022

Sakthi @ Sakthi Prabhu

...Petitioner

Vs.

The State rep by
The Inspector of Police,
Kitchipalayam Police Station,
Salem.
Crime No.195 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.195 of 2022 on the
file of the respondent police.

For Petitioner : Mr.K.Thenrajan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.06.2022 for the offences under Sections **341, 392 read with Section 379, 506(ii) of IPC** in crime No.195 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, the petitioner had waylaid the defacto complainant and snatched a sum of Rs.800/- from the defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. That apart, the petitioner was complying the conditions regularly for another case before the Deevattipatti Police Station. Hence, he prays for grant of bail to the petitioner.



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4.The learned Additional Public Prosecutor submits that the petitioner is a history sheeter and there are two previous cases pending against the petitioner. Hence, he vehemently opposed for grant of 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 08.06.2022, 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, No.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.



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[b] the 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.

05.08.2022

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To:

1. Judicial Magistrate, No.II,
Salem.
2. The Inspector of Police,
Kitchipalayam Police Station,
Salem.
3. Central Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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