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Crl.OP.No.18965 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2022

CORAM

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

Crl.OP.No.18965 of 2022

Arun @ Naan Rotti Arun

...Petitioner

Vs.

State, Rep. by
Inspector of Police,
P-5, MKB Nagar Police Station,
Chennai.
(Crime No.419/2022)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Cr.No.419/2022 on the file of
the Inspector of Police P-5 MKB Nagar Police Station Chennai.

For Petitioner : Mr.D.Jaisankar
For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 29.05.2022 for the offences punishable under Sections 341,
294(b), 323, 397 and 506(ii) of IPC in crime No.419 of 2022 on the file



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of the respondent police, seeks bail.

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2. The case of the prosecution is that on 27.05.2022, the petitioner waylaid the *de-facto* complainant, threatened him and robbed Rs.1,000/- from him at knife point. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the present case was foisted against the petitioner only to pass the detention order under Act 14. On 20.07.2022, the detention Order has been revoked by the advisory board. Hence, he prays for grant of bail to the petitioner.

4. The petitioner was arrested and remanded to judicial custody on 29.05.2022. The petitioner is so far involved in 18 previous cases of similar nature. However, the petitioner's detention order was set aside by the advisory board by order dated 20.07.2022.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his



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arrest i.e., 29.05.2022, 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 blood related sureties**, each for a like sum to the satisfaction of the **learned Metropolitan Magistrate No.10, Egmore Chennai**, 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 Dharmapuri and report before the Inspector of Police, Dharmapuri Town Police station twice daily at 10.30 a.m. and 5.30 p.m. for a period of four weeks and thereafter 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



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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 Metropolitan Magistrate No.10, Egmore Chennai
2. The Inspector of Police,
P-5, MKB Nagar Police Station,
Chennai.
3. Central Prison Puzhal.
4. The Public Prosecutor,
High Court of Madras

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