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Crl.OP.No.19391 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2022

CORAM

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

Crl.OP.No.19391 of 2022

Sakthivel

...Petitioner

Vs.

State rep. By:-
Inspector of Police,
G1 Vepery Police Station,
Chennai.
(Crime No.267 of 2022)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in Crime No.267 of 2022 on the file of the respondent.

For Petitioner : Mr.V.Dinesh Kumar

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.07.2022 for the offences punishable under Sections **294(b), 323, 384, 427, 336, 392, 397, 506(ii) of IPC** in Crime No. 267 of



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2022 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that, the petitioner robbed a sum of Rs.120/- at knife point from the *de-facto* complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in Judicial Custody from 31.07.2022 onwards. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (CrI.side) appearing for the respondent would submit that, the petitioner robbed a sum of Rs.120/- at a knife point from the *de-facto* complainant. He further submitted that there are 13 previous cases pending against the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Considering the above facts and circumstances of the case



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and also the period of incarceration by the petitioner from the date of his arrest i.e., 31.07.2022, 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 II Metropolitan Magistrate, Egmore, Chennai – 600 008** 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 Hosur and report before the Inspector of Police, Hosur Town 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.**



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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 II Metropolitan Magistrate, Egmore, Chennai – 600 008.
- 2.The Inspector of Police,
G1 Vepery Police Station,
Chennai.
- 3.Central Prison, Puzhal Jail, Chennai.
- 4.The Public Prosecutor,
High Court of Madras

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