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CrI.OP.No.21516 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2022

CORAM

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

CrI.OP.No.21516 of 2022

Arulmani

...Petitioner

Vs.

State represented by
The Inspector of Police,
Karamandurai Police Station,
Salem District.
(Crime No.63 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.63 of 2022 on the
file of the respondent police.

For Petitioner :Mr.M.Senthilkumar

For Respondent :Mr.S.Santhosh
Government Advocate (CrI.Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.06.2022 for the offences punishable under Sections **120(b), 364(A), 323, 324, 348, 294(b) and 506(ii) of IPC** in Crime No. 63 of 2022 on the file of the respondent police, seek bail.

2. There are totally seven accused and the petitioner is arrayed as first accused. It is alleged that the petitioner along with other accused kidnapped the defacto complainant to a nearby forest for ransom and thereby demanded Rs.10 lakhs. After receiving a sum of Rs.7 lakhs, the accused left 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 offence as alleged by the prosecution that apart, petitioner has been suffering incarceration from 06.06.2022 onwards. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) already this



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Court dismissed the petitioner's bail petition in Crl.O.P.No.18525 of 2022 dated 05.08.2022. Hence, he opposed for grant of bail to the petitioner.

5. Considering the fact and circumstances of the case and also considering the period of incarceration by the petitioner from the date of arrest ie., on 06.06.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing separate 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 Judicial Magistrate, No.II, Attur, Salem District** 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 report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m., for a period of four weeks



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

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To

1. Judicial Magistrate No.II,
Attur, Salem District.
2. The Inspector of Police,
Karamandurai Police Station,
Salem District.
3. Sub Jail, Attur,
Salem District.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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