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Crl.OP.No.19851 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2022

CORAM

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

Crl.OP.No.19851 of 2022

A.Ajaykumar

...Petitioner

Vs.

State, Rep. by the
Inspector of Police,
Peralam Police Station,
Tiruvarur District.
(Cr. No.367/2022)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in connection with Crime No.367
of 2022 on the file of the respondent police.

For Petitioner :Mr.T.Muthukrishnan

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



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ORDER

The petitioner was arrested and remanded to judicial custody on 29.07.2022 for the offences punishable under Sections **395, 294(b) and 506(ii) of IPC** in Crime No.367 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 28.07.2022, when the *de-facto* complainant questioned about the cutting of “Aruval Shaped Cake” in the bus stand by the accused person, they had threatened and extorted Rs.200/- from him at knife point. 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 such offence as alleged by the prosecution. Hence, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl.side) appearing for the respondent submitted that the petitioner along with other accused persons threatened the *de-facto* complainant and extorted Rs.200/- from him at knife point. Hence, he vehemently opposed for granting 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., 29.07.2022, 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 District Munsif-cum-Judicial Magistrate, Nannilam**, 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 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.

23.08.2022

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To

- 1.The District Munsif-cum-Judicial Magistrate,
Nannilam.
- 2.The Inspector of Police,
Peralam Police Station,
Tiruvarur District.
- 3.Sub Jail,
Nannilam.
- 4.The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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