



CrI.OP.No.20851 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2022

CORAM

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

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Mandai Dinesh @ Dinesh

..Petitioner

Vs.

State rep. by
Inspector of Police,
K-10 Koyambedu Police Station,
Chennai.
(Cr.No.226 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the accused/petitioner on bail pending investigation in
K-10 P.S. Cr.No.226 of 2022 on the file of the respondent police.

For Petitioner : Mr.N.Selvaraj

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.06.2022 for the offence under Sections 294(b), 341, 323, 336, 397 and 506(ii) of IPC in crime No.226 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on the date of occurrence, the petitioner waylaid the *de-facto* complainant and snatched a sum of Rs.1,500/- from him at knife point. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that a false case has been foisted against the petitioner. He would also submit that the petitioner was arrested and remanded to judicial custody on 26.06.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that there are 6 previous cases pending as



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against the petitioner. Hence, he vehemently opposed to grant 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., 26.06.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the **petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) as non refundable deposit to the credit of COVID-19 SALEM DISTRICT; SB.A/c No : 190601000434; IFSC code : ICIC0006119; The Personal Assistant (General) to the Collector, Collectorate, Room No.117, First Floor, Salem-636 001, Ph.No.9445008148**, and on such deposit 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 V Metropolitan Magistrate, 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



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their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five thousand only) as non refundable deposit to the credit of COVID-19 SALEM DISTRICT; SB.A/c No : 190601000434; IFSC code : ICIC0006119; The Personal Assistant (General) to the Collector, Collectorate, Room No.117, First Floor, Salem-636 001, Ph.No.9445008148 and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall stay at Dharmapuri and report before the Inspector of Police, Thoppur 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 daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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



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of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

01.09.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The V Metropolitan Magistrate, Egmore, Chennai.
- 2.The Inspector of Police,
K-10 Koyambedu Police Station,
Chennai.
- 3.Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

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