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CrI.OP.No.19916 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2022

CORAM

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

CrI.OP.No.19916 of 2022

Sathish

...Petitioner

Vs.

The State rep. by Inspector of Police,
Kanchi Taluk Police Station,
Crime No. 560 of 2022,
Kancheepuram District.

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in connection with the case in
Crime No.560 of 2022 on the file of the Respondent.

For petitioner	: Mr.D.R.Arun Kumar
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 06.08.2022 for the offences punishable under Section 399 of
IPC in crime No.560 of 2022 on the file of the respondent police, seeks
bail.



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2. The case of the prosecution is that the petitioner along with other accused persons were planning to commit dacoity and they were arrested by the respondent police before they commit the crime.

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 06.08.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that petitioner along with other accused persons planned to commit dacoity and they were arrested before they commit the crime. However, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case, 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 sureties**, each



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for a like sum to the satisfaction of the **learned J.M.2, Kancheepuram,**
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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

25.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The J.M.2, Kancheepuram.
- 2.The Inspector of Police,
Kanchi Taluk Police Station,
Kancheepuram District.
- 3.Sub Jail,
Kancheepuram.
- 4.The Public Prosecutor,
High Court of Madras

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