



Crl.OP.No.20541 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2022

CORAM

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

Crl.OP.No.20541 of 2022

M.Manikandan

...Petitioner

Vs.

State Rep. by Inspector of Police,
P-6, Kodungaiyur Police Station, Chennai.
(Crime No.280 of 2022 on the file).

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to release the petitioner on bail for an alleged offences punishable under Section 323, 364-A, 365, 342, 386 and 506(1) of IPC in connection with the crime No.280 of 2022 on the file of the respondent.

For Petitioner : Mr.S.Ambedumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.07.2022 for the offences punishable under Sections 323, 364-A, 365, 342, 386, 506(1) of IPC in Crime No.280 of 2022 on the file



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of the respondent police, seeks bail.

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2. The case of the prosecution is that on 05.03.2022, the petitioner herein along with eight accused persons kidnapped the *de-facto* complainant's son and relative and demanded Rs.20,00,000/-. 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.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that there are totally 10 accused, in which the petitioner is arrayed as A6. 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



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arrest i.e., 30.07.2022, 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 sureties**, each for a like sum to the satisfaction of the **learned 5th Metropolitan Magistrate, Egmore**, 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 daily at 10.30 a.m. for a period of two 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]**.



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[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 5th Metropolitan Magistrate,
Egmore.
- 2.The Inspector of Police,
P-6, Kodungaiyur Police Station, Chennai.
- 3.Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras

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