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Crl.OP.No.21563 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2022

CORAM

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

Crl.OP.No.21563 of 2022

Sasikumar @ Mettur Sasi
...Petitioner

Vs.

State represented by
The Inspector of Police,
Steel Plant Police Station,
Salem.
(Crime No.122 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.122 of
2022 on the file of the respondent police.

For Petitioner :Mr.R.Rajan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.06.2022 for the offences punishable under Sections **341, 392, 397 and 506(ii) of IPC** in Crime No. 122 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner waylaid the defacto complainant and at knife point snatched a sum of Rs.2,500/- and a cell phone from 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, this Court earlier dismissed the petitioner's bail petition in Crl.O.P.No.16213 of 2022 dated 13.07.2022 on the ground that the the petitioner has been detained under Goondas Act. However, the detention order was withdrawn by the Government itself. Hence, he prays for grant of bail to the petitioner.



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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 24.06.2022, 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.I, Salem** 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 six weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation



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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.I,
Salem.
- 2.The Inspector of Police,
Steel Plant Police Station,
Salem.
3. Central Prison,
Salem.
- 4.The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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