



WEB COPY



CrI.OP.No.21116 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2022

CORAM

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

CrI.OP.No.21116 of 2022

Panneerselvam

...Petitioner

Vs.

State by
The Inspector of Police,
Karuppur Police,
Salem District.
Cr. No.232/2022.

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to order the petitioner to be enlarged on bail in Crime No.232 of 2022 on the file of the Inspector of Police, Karuppur Police Station, Salem District pending investigation.

For Petitioner	: Mr.R.Lokeshwaran
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.07.2022 for the offences punishable under Sections 341, 294(b), 392 read with 397 and 506(ii) of IPC in crime No.232 of 2022 on



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the file of the respondent police, seeks bail.

2. The case of the prosecution is that petitioner was in connivance with other accused persons and threatened the *de-facto* complainant and alleged to have grabbed the money from him. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 02.07.2022. 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 totally 7 accused, in which the petitioner is arrayed as A2. A1 and the *de-facto* complainant are partners. Due to some dispute, the petitioner along with other accused persons kidnapped the *de-facto* complainant and detained him in Krishnagiri District for 5 days and thereafter, they had dropped the victim near the jurisdiction of the respondent police. Further, they had taken away 1 ½ sovereigns gold chain and sum of Rs.8,000/- from the



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de-facto complainant. 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., 02.07.2022, 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 Judicial Magistrate II, Aathur**, 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 stay at Chengalpattu and report before the Inspector of Police, Chengalpattu 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.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

02.09.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate II,
Aathur.
- 2.The Inspector of Police,
Karuppur Police,
Salem District.
- 3.Central Prison at Salem.
- 4.The Public Prosecutor,
High Court of Madras.

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