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CrI.OP.No.21123 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.21123 of 2022

Mohanraj

...Petitioner

Vs.

State represented by
Inspector of Police,
Ammamet Police Station,
Salem District.
(Crime No.465 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to grant bail to the petitioner pending investigation in Crime No.
465 of 2022 on the file of the Respondent Police.

For Petitioner :Mr.D.Balaji

For Respondent :Mr. A.Damodaran
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.08.2022 for the offences punishable **under Sections 294(b), 323, 392, 397 of IPC read with Section 3(1) of TNPPDL Act, 1984** in Crime No.465 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused went to the backer of the defacto complainant and taken chips and scolded the staff of defacto complainant and demanded money, when the defacto complainant refused to give money, the petitioner along with other accused had caused damage to the tune of Rs.1 lakh. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that



there is no previous case pending against the petitioner. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner shall deposit **a sum of Rs.50,000/- (Rupees Fifty Thousand only), to the credit of the Crime No.465 of 2022**, 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 **Judicial Magistrate, No.1, 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 without prejudice to his defence shall deposit a sum of Rs.50,000/-(Rupees Fifty Thousand only), to the credit of the Crime No.465 of 2022.



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[c] the petitioner shall stay at Sriperumbudur and report before Sriperumbudur Town Police Station twice daily at 10.30.a.m., and 04.30.p.m., for a period of four weeks and thereafter report before the respondent police twice daily at 10.30 a.m. and 05.30 p.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 of Kerala [(2005)AIR SCW 5560].

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

02.09.2022

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To

- WEB COPY
1. Judicial Magistrate No.1,
Salem.
 2. Inspector of Police,
Ammapet Police Station,
Salem District.
 3. Central Prison,
Salem.
 4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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