



Crl.O.P.No.22107 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.22107 of 2022

Karthick @ Kulandhaivel

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Annadhanapatti Police Station,
Salem.

(Crime No.351/2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail pending investigation in connection
with the Crime No.351 of 2022 on the file of the respondent Police.

For Petitioner : Mr.I.M.Siddartha Ramarajan
For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



Crl.O.P.No.22107 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.07.2022 for the offences punishable under Sections 341, 392, 397 & 506(2) of IPC, in Crime No.351 of 2022 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 25.07.2022, the petitioner along with the other accused waylaid the de-facto complainant and by threatening him at knife point, snatched his mobile phone and robbed Rs.500/- from him. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and he has been in custody from 29.07.2022. He would also submit that the petitioner is prepared to comply with any stringent condition imposed by this Court and he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner along with the other accused



Crl.O.P.No.22107 of 2022

waylaid the de-facto complainant and snatched his mobile phone and taken away Rs.500/- from him by threatening him at knife point. He would also submit that there is a previous against the petitioner and hence, he opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

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

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty five thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate - IV, 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;



Crl.O.P.No.22107 of 2022

[b] the petitioner shall report before the respondent Police, every day at 10.30 a.m. and at 5.30p.m., until further orders;

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

13.09.2022

ham



Crl.O.P.No.22107 of 2022

WEB COPY

To

1. The Judicial Magistrate - IV,
Salem.
2. The Inspector of Police,
Annadhanapatti Police Station,
Salem.
3. The Central Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.22107 of 2022

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.No.22107 of 2022

13.09.2022