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CrI.OP.No.24617 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2022

CORAM

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

CrI.OP.No.24617 of 2022

Saravanan

..Petitioner

Vs.

State represented By:-

Inspector of Police,

D-2 Anna Salai Police Station,

Chennai.

(In Crime No.168 of 2022)

..Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C.

praying to enlarge the petitioner on bail pending investigation in Crime No.168 of 2022 on the file of the respondent.

For Petitioner : Mr.T.Santhosh

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.07.2022 for the offences punishable under Sections 392 and 397 of IPC, in Crime No.168 of 2022, seeks bail.



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2. The case of the prosecution is that the petitioner along with other accused persons waylaid the defacto complainant and threatened him at knife point and robbed a sum of Rs.20,00,000/- from the defacto complainant and also attacked him with knife. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that there are totally nine accused in which the petitioner is arrayed as A8. He would further submit that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the co-accused was granted bail by this Court and the petitioner is ready and willing to deposit some reasonable amount as directed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that there are totally nine accused in which the petitioner is arrayed as A8. All the accused persons snatched a sum of Rs.20,00,000/- from the defacto complainant. Hence, he vehemently opposed grant of bail to the petitioner.



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5. It is seen that there are totally nine accused in which the petitioner is arrayed as A8. All the accused persons snatched a sum of Rs.20,00,000/- from the defacto complainant. So far, Rs.3,12,500/- has been recovered by the respondent and Rs.16,87,500/- is yet to be recovered.

6. Considering the above facts and circumstances of the case, and also taking note of the fact that the petitioner is in judicial custody from 26.07.2022, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.2,00,000/-** (Rupees Two Lakhs only), without prejudice to his right of defence, to the credit of **Crime No.168 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 II Metropolitan Magistrate, Egmore, Chennai-600 008 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.



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[b] the petitioner is directed to deposit a sum of **Rs.2,00,000/-** (Rupees Two Lakhs only), without prejudice to his right of defence, to the credit of **Crime No.168 of 2022**.

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m., and 05.30 p.m, until further orders.

[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.

12.10.2022

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G.K.ILANTHIRAIYAN, J.

mn

To

- 1.The II Metropolitan Magistrate, Egmore, Chennai-600 008.
- 2.The Inspector of Police,
D-2 Anna Salai Police Station,
Chennai.
3. The Puzhal Central Prison,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras

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