



WEB COPY



Crl.O.P.No.8619 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2023

CORAM

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

Crl.O.P.No.8619 of 2023

Suresh

... Petitioner

Vs.

State Rep by
Inspector of Police,
Rathinagiri Police Station,
Ranipet District.
(Crime No.98 of 2019)

... Respondent

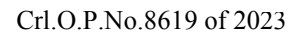
PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in Crime No.98 of 2019 pending
investigation on the file of the respondent police.

For Petitioner : Mr.D.Thirumoorthy

For Respondent : Mr. C.E.Pratap
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 14.03.2023, for the offences punishable under Sections 147, 341, 363,
387, 506(ii) IPC @ Sections 363, 395, 397 and 506(ii) IPC, in crime No.98
of 2019 on the file of the respondent police, seeks bail.



4. Learned Government Advocate (Crl. Side) appearing for the respondent police vehemently opposed for grant of bail to the petitioner stating that the petitioner along with other accused had kidnapped the defacto complainant in a car and received a sum of Rs.20 lakhs as ransom.

5. Heard the learned Counsel for the petitioner and the learned



Government Advocate (Crl. Side) and perused the materials available on record.

6. Considering the facts and circumstances of the case and the submissions made by the learned counsel on either side and that the final report has been taken on file in P.R.C.No.7 of 2023, this Court is inclined to grant of bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Twenty Five Thousand Only)** with **two sureties, each** for a like sum to the satisfaction of the **learned Judicial Magistrate, Arcot**, 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 trial Court on all working days at 10.30 a.m. for a period of two weeks and thereafter, on the dates fixed by the learned Judicial Magistrate. The petitioner shall also appear before the respondent police on every Saturday at 06.30 p.m. until further orders;

[c] the petitioner shall not abscond during trial;



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[d] the petitioner shall not tamper with evidence or witness during 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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1. The Judicial Magistrate,
Arcot.
2. The Inspector of Police,
Rathinagiri Police Station,
Ranipet District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA,J.,

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