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CrI.OP.No.10388 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2023

CORAM

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

CrI.OP.No.10388 of 2023

Suresh

... Petitioner

Vs.

State Represented by
The Inspector of Police,
Palladam Police Station,
Tiruppur District.
(Crime No.164 of 2023)

... Respondent

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

praying to enlarge the petitioner on bail in Crime No.164 of 2023 on the file of
the respondent Police.

For Petitioner : Mr.R.Amburosh

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on
05.03.2023 for the offences punishable under Sections 457, 392 and 397 of IPC
in Crime No.164 of 2023 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner along with other accused trespassed into the house of the defacto complainant, threatened at knife point and committed robbery to the tune of Rs.1,04,260/-. Hence, the present case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is ready and willing to deposit a sum of Rs.50,000/- to the credit of Crime number for consideration of bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner along with other accused trespassed into the house of the defacto complainant, threatened at knife point and committed robbery to the tune of Rs.1,04,260/-. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances and the period of incarceration undergone by the petitioner from 05.03.2023, this Court is inclined to grant bail to the petitioner.



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6. Accordingly, the petitioner is directed to deposit a sum of **Rs.50,000/-** (Rupees Fifty Thousand only) to the credit of Crime No.164 of 2023 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 Principal Session Judge Court, Tiruppur 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 deposit a sum of **Rs.50,000/-** (Rupees Fifty Thousand only) to the credit of Crime No.164 of 2023.

[c] the final order in respect of the said deposit shall passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall report before the respondent police 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.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] 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



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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]**.

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

05.05.2023

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G.K.ILANTHIRAIYAN, J.

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To

1. The Principal Session Judge Court, Tiruppur.
2. The Inspector of Police,
Palladam Police Station,
Tiruppur District.
3. The Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras,
Chennai.

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05.05.2023