



WEB COPY



Crl.O.P.No.9974 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2023

CORAM

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

Crl.OP.No.9974 of 2023

Vinothkumar @ Kannadi Vinoth ... Petitioner/ Accused

Vs.

State Rep by
Inspector of Police,
Hasthampatty Police Station,
Salem District.
(Crime No.78 of 2023)

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in connection with the case in Crime No.78 of 2023 pending investigation on the file of the respondent police.

For Petitioner : M/s.S.Premakumari

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



WEB COPY



Crl.O.P.No.9974 of 2023

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.04.2023 for the offences punishable under Sections 341, 392, 397 and 506(ii) of IPC in Crime No.78 of 2023 on the file of the respondent police, seeks bail

2. The case of the prosecution is that the petitioner had snatched the defacto complainant's mobile phone at knife point, demanded money and threatened him. Hence, the 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. Hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner snatched the defacto complainant's mobile phone at knife point and demanded money. He further submitted that there are two previous cases pending against the petitioner. Hence, he vehemently opposed to grant bail to the petitioner.



Crl.O.P.No.9974 of 2023

WEB COPY

5. Considering the above fact and circumstances of the case and also the period of incarceration of the petitioner from the date of his arrest i.e. 11.04.2023, this Court is inclined to grant bail to the petitioner.

6. Accordingly, 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.III, Salem District 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 respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks, thereafter, as and when required for interrogation.

[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



Crl.O.P.No.9974 of 2023

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

04.05.2023

Lpp

To

1.The Judicial Magistrate No.III, Salem District.

2.The Inspector of Police,
Hasthampatty Police Station,
Salem District.

3.The Superintendent, Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras,
Chennai

G.K.ILANTHIRAIYAN, J.



WEB COPY



Crl.O.P.No.9974 of 2023

Lpp

Crl.O.P.No.9974 of 2023

04.05.2023