



Crl.O.P.No.10659 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.05.2023

CORAM

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

Crl.O.P.No.10659 of 2023

Jamaludeen

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Kandamangalam Police Station,
Villupuram District.

(Crime No.69 of 2023)

... Respondent

Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner/accused on bail, in Crime No.69 of 2023, on
the file of the respondent police, pursuant to the order dated 25.04.2023 in
Crl.M.P.No.3217 of 2023 passed by the learned Principal Sessions Judge,
Villupuram.

For Petitioner : Mr.M.P.Yuvaraj

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor



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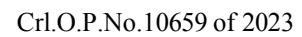
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ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.03.2023, in connection with Crime No.69 of 2023 registered for the offence punishable under Sections 452 and 395 of IPC, seeks bail.

2. The case of the prosecution as per the de-facto complainant is that on the date of occurrence i.e., on 04.03.2023, the petitioner along with other accused trespassed into the house of the de-facto complainant with an intention to kill him and demanded a sum of Rs.50,00,000/- each and criminally intimidated the de-facto complainant. Hence the complaint.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely roped into this case. He further submitted that the petitioner is no way connected with the alleged offence and he is in judicial custody from 04.03.2023. He further submitted that co-accused (A1 & A2) in this case had already been granted anticipatory bail by this Court in Crl.O.P.Nos.6864, 6851 of 2023 vide order dated 17.04.2023. He also submitted that the petitioner is ready and willing to furnish solvent



Hence, he prayed for grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the submissions made by learned counsel on either side and also considering the period of incarceration undergone by the petitioner and also taking note of the fact that all of the witness have been examined, this Court is inclined to grant bail to the petitioner with certain conditions.



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6. 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**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Villupuram**, 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., 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



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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.

17.05.2023

arb/gd

To

1. The Judicial Magistrate No.II,
Villupuram.
2. The Inspector of Police,
Kandamangalam Police Station,
Villupuram District.
3. The Central Prison,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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A.A.NAKKIRAN, J.

arb/gd

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