



Crl.O.P.No.10732 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.05.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.10732 of 2023

Prabhu @ Prabhudeva

... Petitioner

Versus

State Rep. by
The Inspector of Police,
S-7, Madipakkam Police Station,
Chennai.

Crime No.122 of 2023

... Respondent

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

praying to release the petitioner on bail in Crime No.122 of 2023 pending
on the file of the respondent.

For Petitioner : Mr.A.Vinoth Kumar

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.04.2023, for the alleged offence punishable under Sections 341, 294(b), 397, 336 & 506(ii) of I.P.C., in Crime No.122 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 10.04.2023 at about 7.00a.m., the petitioner and others have waylaid the de-facto complainant and his friend, when they were coming in their two wheeler near Ullagaran Kumaran Theatre, abused them in a filthy language and robbed a sum of Rs.2,500/- at knife point from the de-facto complainant.

3. The learned counsel for the petitioner would submit that the petitioner is in custody from 10.04.2023 and the investigation in this case is almost completed and his continuous custody is not required for the further investigation. Further, 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.



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[b] 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.

[c] the petitioner shall report before the respondent police daily at 10.30 a.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.

10.05.2023

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To

1. The Judicial Magistrate No.II,
Alandur, Chennai.
2. The Inspector of Police,
S-7, Madipakkam Police Station,
Chennai.
3. The Central Prison- II,
Puzhal.
4. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

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