



WEB COPY



Crl.O.P.No.10845 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2023

CORAM

THE HON'BLE MR. JUSTICE **SUNDER MOHAN**

Crl.O.P.No.10845 of 2023

Baskar @ KozhiBaskar

Petitioner/Accused

Vs.

State Rep by
The Inspector of Police,
Steel Plant Police Station,
Salem District.
(Crime No.61 of 2023)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail pending investigation in Crime
No.61 of 2023 on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham

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

ORDER

The petitioner, who is arrested and remanded to judicial custody
on 12.04.2023, for the offences punishable under Sections 341, 392, 397 and
506(ii) of IPC in Crime No.61 of 2023 on the file of the respondent police,
seeks bail.



2. The case of the prosecution is that the petitioner snatched a sum of Rs.3,250/- from the *de facto* complainant. Hence the complaint.

3. The learned counsel for the petitioner submitted that there are 34 previous cases against the petitioner and out of these 34 cases, the petitioner was acquitted in 30 cases and the remaining four cases are pending trial Court. He further submitted that this case has been filed only to invoke Act 14 of 1982 to detain the petitioner. He further submitted that the petitioner had suffered incarceration for a period of thirty days. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has been acquitted in most of the cases and some cases are pending trial. He further submitted that the petitioner has not been convicted in other cases.

5. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.



6. Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side and the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner on the following conditions;

[a] 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**, for a like sum to the satisfaction of the **learned Judicial Magistrate-I, Salem.**

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***;



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

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bkn/ssr

To

- 1.The Judicial Magistrate-I, Salem.
2. The Inspector of Police,
Steel Plant Police Station,
Salem District.
- 3.The Superintendent of Prison,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN,J.,

bkn/ssr

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