



Crl.O.P.No.11022 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2023

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.11022 of 2023

M.Ricki Pandi @ Kutti Karuppu

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Velippalayam Police Station,
Nagapattinam District.

(Crime No.153 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner/accused on bail, in Crime No.153 of 2023,
on the file of the respondent police, pursuant to the order dated 228.04.2023
in Crl.M.P.No.1514 of 2023 passed by the learned Principal District and
Sessions Judge, Nagapattinam.

For Petitioner : Mr.S.John Josh

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 11.04.2023, in connection with Crime No.153 of 2023 registered for the offence punishable under Sections 341, 294(b), 384 and 506(ii) of IPC r/w Section 25(1)(A) of Indian Arms Act, seeks bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are friends. On the date of occurrence i.e., 11.04.2023, due to money dispute, the petitioner waylaid the defacto complainant, abused him in a filthy language, threatened him with bill hook and robbed a sum of Rs.300/- from his pocket. Hence the case.

3.Learned counsel for the petitioner submitted that the petitioner is an innocent person and due to money dispute, a false complaint has been given against the petitioner. He further submitted that the petitioner is no way connected with the alleged offence and he is in judicial custody from 11.04.2023. Hence, he prayed for grant of bail to the petitioner.



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4.Learned learned Additional Public Prosecutor appearing for the respondent submitted that due to money dispute, the petitioner waylaid the defacto complainant, abused him in a filthy language, threatened him with bill hook and robbed a sum of Rs.300/- from his pocket. He further submitted that there is no previous case pending against the petitioner. However, he opposed 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, this Court is inclined to grant bail to the petitioner with certain conditions.

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 sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Nagapattinam**, 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;



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[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 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.

11.05.2023

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To

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



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SUNDER MOHAN, J

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