



CrI.O.P.No.11694 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2023

CORAM

THE HONOURABLE MR. JUSTICE A.A. NAKKIRAN

CrI.O.P.No.11694 of 2023

Baskar @ KozhiBaskar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Annadhanapatty Police Station,
Salem District.

(Crime No.172 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.172 of 2023,
on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.03.2023, in connection with Crime No.172 of 2023 registered for the offences punishable under Sections 341, 392 r/w 397 and 506(ii) of IPC seeks bail.

2.The case of the prosecution is that the defacto complainant viz., Arun Kumar is running a pharmacy shop. On the date of occurrence i.e., 29.03.2023, when the de-facto complainant was proceeding in his two wheeler near Shevapet Kaliyamman Temple, the petitioner waylaid the de-facto complainant, threatened him at knife point and robbed a sum of Rs.5,100/- from him. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that there are 34 previous cases pending against the petitioner and except this case, the petitioner was acquitted in all the cases. He further submitted that the petitioner is in judicial custody from 29.03.2023 and hence, he prayed for grant of bail to the petitioner.



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[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 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.

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

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To

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



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A.A.NAKKIRAN, J.

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