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Crl.O.P.No.12186 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.12186 of 2023

Manikandan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Grand Bazar Police Station,
Pondicherry District.

(Crime No.66 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail, in connection with the Crime No.66
of 2023, pending investigation on the file of the respondent Police.

For Petitioner : Mr.V.Parthiban

For Respondent : Mr.M.V.Ramachandra Moorthy
Addl. Public Prosecutor(Pondicherry)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.03.2023 for the offences punishable under Sections 402, 399 of IPC and Section 25(1-A) of Arms Act in Crime No.66 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 29.03.2023, at about 19.15 hours, when the respondent and his team were on their regular patrol duty, they found that the petitioner along with other accused, in a suspicious manner, were making preparation to commit robbery. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is no way connected with the alleged offence. He also submitted that A1 and A2 in this case have already been arrested and enlarged on bail and the petitioner is in custody from 30.03.2023. Hence, he prayed for grant of bail to the petitioner.



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4. Learned Additional Public Prosecutor (Pondicherry) appearing for the respondent police submitted that the petitioner is a notorious element, against whom, there are several cases pending in the State of Pondicherry and Tamil Nadu. As far as this case is concerned, the petitioner along with other accused, in a suspicious manner, were making preparation to commit robbery. Hence, he opposed for grant of bail to the petitioner.

5. Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor (Pondicherry) and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also taking note of the fact that the co-accused namely A1 and A2 in this case have already been enlarged on bail, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on



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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 Chief**

Judicial Magistrate, Puducherry, 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 stay at Karaikkal and report before the Inspector of Police, Karaikkal Town Police Station, everyday 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]***;



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

12.06.2023

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To

1. The chief Judicial Magistrate
Puducherry.
2. The Inspector of Police,
Grand Bazar Police Station,
Pondicherry District.
3. The Central Prison,
Puducherry.
4. The Public Prosecutor,
High Court of Madras.



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