



Crl.O.P.No.12855 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2023

CORAM

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

Crl.O.P.No.12855 of 2023

Balaji

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Sulur Police Station,
Coimbatore District.

(Crime No.220 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to grant bail to the petitioner in Crime No.220 of 2023 pending
investigation on the file of respondent Police.

For Petitioner : Mr.M.Vijaya Ragavan

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.04.2023, for the offence punishable under Sections 394 of IPC @ Section 394 & 397 of IPC, in connection with Crime No.220 of 2023, registered on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the accused had waylaid the de-facto complainant's brother and his colleagues and by assaulting them, had robbed a mobile from the colleague of the de-facto complainant's brother. Hence the case.

3. Learned Counsel for the petitioner submitted that the petitioner is an innocent person, aged about 25 years and he has been falsely implicated in this case. He further submitted that the petitioner is no way connected with the alleged offence, whereas, he has been falsely roped into this case. He further submitted that the petitioner is in custody from 13.04.2023 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused had assaulted the de-facto complainant's brother and his colleagues and had robbed a mobile from them. He also submitted that the robbed mobile phone has been recovered and the investigation in this case is pending. He further submitted that no previous case is pending as against the petitioner, however, he opposed for grant of bail to the petitioner.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the above facts and circumstances of the case, the submissions made by the learned counsel on either side and taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain condition.

7. 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)**



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with **two sureties** (out of which, one should be the blood related surety), each for a like sum to the satisfaction of the **learned Judicial Magistrate, Sulur, Coimbatore**, 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 report before the respondent Police, everyday at 06.30 p.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.

14.06.2023

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To

1. The Judicial Magistrate,
Sulur, Coimbatore.
2. The Inspector of Police,
Sulur Police Station,
Coimbatore District.
3. The Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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