



CrI.O.P.No.13337 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2023

CORAM

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

CrI.O.P.No.13337 of 2023

R.Saravanan

... Petitioner

Vs.

The Inspector of Police,
Cheyyur Police Station,
Tiruppur District.

(Crime No.98 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner bail pending investigation in Crime No.98
of 2023 on the file of the respondent Police.

For Petitioner : Mr.K.Sudhakar

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



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police. Even as per the prosecution, the defacto complainant himself has not accounted for the source money and a false complaint has been given against him. He further submitted that the petitioner is languishing in judicial custody from 07.05.2023 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the accused along with other persons on exchange of unaccounted money of Rs.17 lakhs they have taken the defacto complainant in a car and later, they have assaulted him and also snatched the amount and car. He further submitted that the major of the investigation is over. He further submitted that the petitioner has no previous case is pending against him. Hence, he oppose for the grant of bail to the petitioner.

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



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6. Taking into consideration the 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)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Avinashi** 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 10.30 a.m, for a period of four weeks and thereafter on every Saturday 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;



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[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.

19.06.2023

drl

To

1. The Judicial Magistrate,
Avinashi
2. The Inspector of Police,
Cheyyur Police Station,
Tiruppur District.
3. The District Jail,
Tiruppur.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

drl

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