



Crl.O.P.No.13617 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2023

CORAM

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

Crl.O.P.No.13617 of 2023

S.Praveen

... Petitioner

Vs.

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

(Crime No.294 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.294 of 2023 pending  
investigation on the file of respondent Police.

For Petitioner : Mr.S.Periasamy

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



Crl.O.P.No.13617 of 2023

WEB COPY

## **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 01.06.2023, for the offence punishable under Sections 341, 392 r/w 397 of IPC, in connection with Crime No.294 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 and had robbed a sum of Rs.1000/- from him at knife point. Hence the case.

3. Learned Counsel for the petitioner submitted that the petitioner is an innocent person, aged about 23 years and he is no way connected with the alleged offence, whereas, he has been falsely implicated in this case, since he has got some previous cases. He further submitted that the respondent has foisted this case against the petitioner only in order to keep the petitioner under continuous detention. He also submitted that the petitioner is in custody from 01.06.2023 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.



Crl.O.P.No.13617 of 2023

WEB COPY

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused had waylaid the de-facto complainant and had robbed a sum of Rs.1000/- from him at knife point. He also submitted that a sum of Rs.400/- has been recovered from the accused. He further submitted that the petitioner is a habitual offender, against whom 11 previous cases including 8 similar cases are pending, hence, 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 including the contents in the First Information Report.

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.



CrI.O.P.No.13617 of 2023

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 No.II, Salem**, 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 Chennai and report before the Inspector of Police, North Beach Police Station, everyday at 10.30 am., and 06.30 p.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;

[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



Crl.O.P.No.13617 of 2023

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.

**22.06.2023**

*ham*

To

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



WEB COPY



Crl.O.P.No.13617 of 2023

**A.D.JAGADISH CHANDIRA.,J.**

*ham*

**Crl.O.P.No.13617 of 2023**

**22.06.2023**