



Crl.O.P.No.14105 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM

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

Crl.O.P.No.14105 of 2023

B.Pramod

... Petitioner

Vs.

The State of Tamil Nadu
rep by the Inspector of Police
KG Chavadi Police Station
Coimbatore District

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail concerned in Crime No.51 of
2023 on the file of the respondent.

For petitioner : Mr.Deepan Uday

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



Crl.O.P.No.14105 of 2023

has been given as if, the defacto complainant was having Rs.25 lakhs and it was robbed by the petitioner which seems that the defacto complainant was travelling with Hawala money and a false case has been foisted against the petitioner. He would further submit that the petitioner is in custody from 29.04.2023 and hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police vehemently opposed for grant of bail to the petitioner stating that there are totally 7 accused in this case and on the date of occurrence, they have intercepted the defacto complainant and taken away a sum of Rs.25 lakhs from him which he had brought from Kerala for purchasing jewels. He would further submit that a sum of Rs.11 lakhs has been recovered so far and the main accused A1 is absconding.

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



CrI.O.P.No.14105 of 2023

WEB COPY

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

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** with **two sureties out of which, one surety shall be a blood relative of the petitioner**, each for a like sum to the satisfaction of the **learned District Munsif cum Judicial Magistrate, Madukkarai** 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;



CrI.O.P.No.14105 of 2023

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

[c] At the time of furnishing sureties, the blood related surety shall convince the learned Magistrate with regard to his/her permanent residence;

[d] the petitioner shall not abscond during trial;

[e] the petitioner shall not tamper with evidence or witness during trial;

[f] 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]*;

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

23.06.2023

ksa-2



WEB COPY



Crl.O.P.No.14105 of 2023

A.D.JAGADISH CHANDIRA,J.,

ksa-2

To

- 1.The District Munsif cum Judicial Magistrate Court, Madukkarai
- 2.The Inspector of Police
KG Chavadi Police Station
Coimbatore District
3. Central Prison, Coimbatore
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.14105 of 2023

23.06.2023