



CrI.OP.No.14915 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.OP.No.14915 of 2023

Chinnakutty

..Petitioner

Vs.

The State Rep by
The Inspector of Police,
Anaimalai Police Station,
Coimbatore.
(Crime No.271 of 2023)

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge on bail in Crime No.271 of 2023 pending on the file of
respondent Police.

For Petitioner : Mr.G.Kartheeban

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.06.2023 for the offence punishable under Section 395 I.P.C., in Crime No.271 of 2023 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that, petitioner is innocent and he is in judicial custody from 11.06.2023. Therefore, he prays for grant of bail to the petitioner.

3.In response, the learned Government Advocate (Criminal Side) submitted that defacto-complainant had got a sum of Rs.1,27,50,000/- in Rs.500's for changing the notes to Rs.2000 notes. On 11.06.2023 at about 12.00 hours, the accused had way laid the defacto-complainant and robbed the money from him. All the accused were arrested. The money had been recovered.

4.Considered the rival submissions and perused the records.



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5.Considering the fact that the money had been recovered and that petitioner is in judicial custody from 11.06.2023 and the material part of investigation is over, this Court is inclined to grant bail to the petitioner.

6. 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.I, Pollachi**, 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 daily morning at 10.30.a.m., and evening at 5.00 p.m. until further orders.

[c] the petitioner shall not abscond either during investigation or trial.



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[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].

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

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To

1.The Judicial Magistrate, Court No.I, Pollachi.

2.The Inspector of Police,
Anaimalai Police Station,
Coimbatore.

3.Central Jail, Coimbatore.

4.The Public Prosecutor,
High Court of Madras



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