



Crl.O.P.No.16950 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2023

CORAM

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

Crl.O.P.No. 16950 of 2023

Benniraj

...Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Town Police Station,
Karaikal District,
Puducherry.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Crime No.110 of 2023 on the file of the respondent police.

For Petitioner : Mr.K.T. Tamil Alagan

For Respondent : Mr. K.S. Mohan Doss
Assisted by
M/s. N. Danalatchoumy
Public Prosecutor, Puducherry



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.06.2023 for the offences punishable under Sections 392, 34 of IPC in Crime No.110 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent and he has been falsely implicated in this case. Petitioner is in judicial custody from 20.06.2023. Thus, he prays for grant of bail.

3. In reply, the learned Additional Public Prosecutor submitted that, on 09.06.2023 at about 08.10.p.m., defacto complainant and one Kani were working in One Million Ready-made Show Room. Defacto complainant was the Manager of the shop. At that time, three persons came in a grey colour Nisan Car and bought one pant and shirt valued at Rs.2,500/-. They started moving out of the shop without paying the money. Defacto complainant asked them to pay the money. However,



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without paying the money, they started moving out of the shop. Defacto complainant tried to block them. But, they went and got into the car bearing Reg.No. TN 22 DD 5317. While asking them to pay the money, one person showed a big knife, threatened and escaped from the shop. He further submitted that, petitioner has two similar previous cases pending against him.

4. Considering the nature of allegations made against the petitioner and having regard to the fact that petitioner is in judicial custody from 20.06.2023 and that the material part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioner.

5. Accordingly, 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**, each for a like sum to the satisfaction of the learned **Judicial Magistrate NO. I, Karaikal** and on further conditions that :-



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[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 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 in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh



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FIR can be registered under Section 229A IPC.

23.08.2023

sma/mac

To

1.Judicial Magistrate,
Karaikal District.

2.Sub Jail,
Karaikal.

3.The Inspector of Police,
Town Police Station,
Karaikal District.

4.The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN. J.



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