



Crl.O.P.No.18125 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM

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

Crl.O.P.No.18125 of 2023

Dhanasekaran

...Petitioner

Vs.

State rep.by the Inspector of Police,
Annadhanapatty Police Station,
Salem District.

(Crime No.848 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Crime No.848 of 2023, on the Inspector of Police, Annadhanapatty Police Station, Salem District.

For Petitioner : Mr.M.Mohamed Saifulla

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.07.2023 for the offences punishable under Sections 392 read with 397 of IPC in Crime No.848 of 2023 on the file of the respondent police, seeks bail.



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2. It is the submission of the learned counsel for the petitioner that the petitioner is falsely implicated in this case in Crime No.848 of 2023 registered for the offence under Sections 392 read with 397 of IPC. The petitioner is in custody from 22.07.2023. Thus, he prays for grant of bail.

3. In response, the learned Additional Public Prosecutor submitted that, on 21.07.2023, at about 10.30 p.m., when *de-facto* complainant was coming in his two wheeler near Bali wine shop, accused had waylaid him and at knife point taken Rs.650/- from his pocket. The amount is recovered.

4. Considering the nature of the allegation made against the petitioner, that the amount said to have been robbed is recovered and also that the petitioner is in judicial custody from 22.07.2023 and that material part of the investigation might have been completed, this Court is inclined to grant bail to the petitioner and 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**, each for a like sum to the satisfaction of the **Judicial Magistrate Court-IV, Salem**, and



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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 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 FIR can be registered under Section 229A IPC.

10.08.2023

mpl



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G.CHANDRASEKHARAN, J.
mpl

To

- 1.The Judicial Magistrate Court-IV, Salem.
- 2.The Central Prison, Puzhal.
- 3.The Inspector of Police,
Annadhanapatty Police Station,
Salem District.
- 4.The Public Prosecutor,
High Court of Madras.

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