



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2023

CORAM:

THE HON'BLE **Dr. JUSTICE G.JAYACHANDRAN**

Crl.O.P.No.18497 of 2023

P.Sriram

.. Petitioner/Accused

Vs.

State through
The Inspector of Police,
Nallur Police Station,
Tiruppur District.
(In Crime No. 444 /2022)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to release the petitioner on bail in the case in Crime No.444 of 2022 pending on the file of the respondent police.

For Petitioner : M/s.S.Malaikani

For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor



ORDER

The petitioner, who was arrested on 13.07.2022 for the alleged offences under Sections 392 & 394 IPC, in Crime No.444 of 2022, on the file of the respondent police, seeks bail.

2. The case against the petitioner is that, he snatched gold chain weighing 7½ sovereign from the Defacto Complainant.

3. The learned Additional Public Prosecutor states that investigation has been completed in this case and final report has already been filed. This bail petition is opposed by the State on the ground that this petitioner is having four previous cases including one murder case.

4. On perusing the records, taking note that, in this case three persons were involved and been prosecuted for chain snatching and causing injury to the defacto complainant. The injured was treated as in-patient and discharged after recovery. This petitioner seems to have detained under Act 14, which was later quashed.



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5. Considering the gravity of the offence, antecedents and the period of incarceration, this Court is of the view that the petitioner may be granted bail. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with two sureties, each for a like sum, to the satisfaction of the learned **Judicial Magistrate No.IV, Tiruppur;**

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) **the petitioner is directed to report before the respondent police on everyday at 10.30 a.m., until further orders;**

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take



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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 absconds, a fresh FIR can be registered under Section 229A IPC.

14.08.2023

nsI/rpl

To

1.The Judicial Magistrate Court No.IV, Tiruppur.

2.The Inspector of Police,
Nallur Police Station,
Tiruppur District.

3.The Superintendent,
District Prison
Tiruppur.

4.The Public Prosecutor,
High Court, Madras.

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Dr.G.JAYACHANDRAN, J.

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