



WEB COPY



Crl.OP.No.23773 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.23773 of 2023

1.B.Induraj
2.B.Mohanraj

...Petitioners

Vs.

State represented by
The Inspector of Police,
Tiruchengode Town Police Station,
Namakkal District.
Crime No.286 of 2023.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner's on bail in Crime No.286 of 2023 on the
file of respondent police on such terms and conditions.

For Petitioner : Mr.C.S.Saravanan
For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl side)



Crl.OP.No.23773 of 2023

WEB COPY

ORDER

The petitioners, who were arrested and remanded to judicial custody on 19.09.2023 for the offence punishable under Sections 387 IPC in Crime No.286 of 2023 on the file of the respondent police, seek bail.

2. The learned counsel for the petitioners stated that petitioners are innocent and they have been falsely implicated in this case, for an occurrence, which took place on 18.09.2023. It is further stated that, petitioners' father had died on 15.10.2023. Thus, he seeks for grant of bail to the petitioners.

3. The learned Government Advocate (Criminal side) stated that, petitioners, who are brothers had attacked the defacto complainant and had also threatened him with knife and robbed Rs.1000/-. It is further stated that, there are five previous cases pending against the 1st petitioner and three previous cases pending against the 2nd petitioner.



Crl.OP.No.23773 of 2023

WEB COPY

4. This Court is of the view that, by this time, petitioners would have realized the seriousness of their activities. Taking into consideration the facts of the case, this Court is inclined to grant bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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, Tiruchengode**, 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 petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders.

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

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.



CrI.OP.No.23773 of 2023

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

16.10.2023

gd



Crl.OP.No.23773 of 2023

WEB COPY

To

- 1.The Judicial Magistrate, Tiruchengode.
2. Central Prison,
Salem.
- 3.The Inspector of Police,
Tiruchengode Town Police Station,
Namakkal District.
- 4.The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.OP.No.23773 of 2023

C.V.KARTHIKEYAN. J.

gd

Crl.OP.No.23773 of 2023

16.10.2023