



CrI.OP.No.24359 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

CORAM

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

CrI.OP.No.24359 of 2023

Balaji @ Jayabalaji

...Petitioner

Vs.

The State represented by
Inspector of Police,
Perambalur Police Station,
Perambalur.
Crime No.605 of 2023.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail in connection with the case in Crime No.605 of 2023 pending investigation on the file of the Respondent police.

For Petitioner : Mr.A.S.Aswin Prasanna

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.07.2023 for the offence punishable under Sections 147, 149, 364,



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386, 120(b) of IPC, in Crime No.605 of 2023 on the file of the respondent police, seeks bail.

2.It is stated that the petitioner herein and the defacto complainant were both in real estate business. In the negotiation in respect of the land situated behind Dhalakshmi Sreenivasan College, the petitioner had paid a sum of Rs.5,00,000/- as advance. There was a dispute between A4 and the defacto complainant.

3.According to the defacto complainant, the petitioner along with other accused had kidnapped him and demanded Rs.15 lakhs.

4.The overt act against the petitioner is that he had received Rs.1,00,000/-.

5.Taking into consideration the entire issue revolves around the land transactions of payment of advance and refusal to pay further consideration, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction



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of the learned Judicial Magistrate No.I, Perambalur 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 on every alternative day at 10.30 a.m., for a period of 10 days and thereafter, every Saturday 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].



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

19.10.2023

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To

- 1.The Judicial Magistrate No.I, Perambalur.
- 2.The Central Prison, Trichy.
- 3.The Inspector of Police,
Perambalur Police Station,
Perambalur.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN.J

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