



CrI.OP.No.26912 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

CORAM

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

CrI.OP.No.26912 of 2023

D.Suresh

...Petitioner

Vs.

The State represented by its
Sub Inspector of Police,
Shevapet Police Station,
Salem.
Crime No.1180 of 2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail in Crime No.1180 of 2023 on the file of the on the file of the respondent Police.

For Petitioner : Mr.A.E.Kalaiselvan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.10.2023 for the offence punishable under Sections 394 and 397 of



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IPC, in Crime No.1180 of 2023 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that all the accused had waylaid the defacto complainant and robbed a sum of Rs.3,750/- from him.

3.It is stated by the respondent that a sum of Rs.3,250/- had been recovered. There are six previous cases against the petitioner herein.

4.However, taking into consideration the period of incarceration and recovery of the amount stolen, this Court is inclined to grant bail to the petitioner with certain conditions.

5.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 of the Judicial Magistrate No.III, Salem, 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 daily at 10.30 a.m, 1.30 p.m and 6.30 p.m., until further orders.



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[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.

28.11.2023

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To

- 1.The Judicial Magistrate No.III, Salem.
- 2.Central Prison, Salem.
- 3.The Sub Inspector of Police,
Shevapet Police Station, Salem.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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