



Crl.O.P.No.27019 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2023

CORAM

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

Crl.O.P.No.27019 of 2023

Roshan Fareed S/o. Babu

... Petitioner/Accused-1

Vs.

The State represented by
The Inspector of Police,
Race Course Police Station,
Coimbatore City.

(Crime No.417 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.417 of 2023 on the file
of the respondent police on such terms and conditions.

For Petitioner : Mr.R.Murugappan

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



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ORDER

The petitioner/A1 seeks bail in Crime No.417 of 2023, registered by the respondent police for the offences punishable under Sections 392, 397 & 506(ii) of IPC with respect to an occurrence which took place on 17.10.2023.

2.It is the case of the prosecution that the defacto complainant had stated that when he along with his friends went to KG Theatre at Coimbatore on 05.00 p.m., the petitioner and two other accused had shown knife and had robbed a sum of Rs.90,000/- and fled away from the place of occurrence.

3.The learned counsel for the petitioner disputed the said facts as stated by the learned Government Advocate (Crl. Side) for the respondent and further stated that the entire issue is a false case. That is an issue to be examined during the course of trial.

4.It is also stated that there are six previous cases pending against the petitioner herein.



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5. Taking into consideration the fact that the petitioner has been in custody for a substantial period of time, I am inclined to grant bail to the petitioner subject to the following 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 fresh sureties, each for a like sum to the satisfaction of the Judicial Magistrate Court No.III, Coimbatore, 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 everyday morning at 10.30 a.m., and evening at 5.30 p.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.



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[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.

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To

1.The Judicial Magistrate Court No.III, Coimbatore.

2.The Inspector of Police,
Race Course Police Station,
Coimbatore City

3.The Central Prison, Coimbatore.

4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN, J.

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