



CrI.OP.No.27237 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

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

CrI.OP.No.27237 of 2023

M.Prabakaran @ Vaithi

...Petitioner

Vs.

The State represented by its
The Inspector of Police,
Karuvepilankuruchi Police Station,
Cuddalore District.
Crime No.256 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.256 of 2023 on the file of the respondent Police.

For Petitioner : Mr.P.Pugalenth

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

ORDER

The petitioner/A2 who was arrested and remanded to judicial custody on 13.10.2023, registered by the respondent originally under Sections 397 and 392 of IPC in Crime No.256 of 2023, seeks bail.



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2.The case of the prosecution is that A1 along with the petitioner had snatched the gold chain of the defacto complainant.

3.It is stated that the property had been recovered and there is no previous case against the petitioner.

4.Taking into consideration the period of incarceration, 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 learned Judicial Magistrate No.II, Vridhachalam 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 at 10.30 a.m., until further orders.

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



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[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.

01.12.2023

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To

- 1.The Judicial Magistrate No.II, Vridhachalam.
- 2.The Central Prison, Cuddalore.
- 3.The Inspector of Police,
Karuvepilankuruchi Police Station,
Cuddalore District.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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