



Crl.O.P.No.27621 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM

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

Crl.O.P.No.27621 of 2023

Mahendran S/o. Rajkumar

...Petitioner/Accused-1

Vs.

State represented by
The Inspector of Police,
Marandahalli Police Station,
Dharmapuri District.

(Crime No.266 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.266 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.Prashanth Nadaraj.B

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



CrI.O.P.No.27621 of 2023

WEB COPY

ORDER

The petitioner/A1 seeks bail in Crime No.266 of 2023, registered by the respondent police for the offences punishable under Section 399 of IPC. The petitioner had been remanded to custody on 04.11.2023.

2.It is stated that all the five accused had been arrested on the ground that they were prepared to commit dacoity.

3.It is also stated that A2 to A5 had been granted bail.

4.Taking into consideration the period of incarceration and the fact that A2 to A5 had been granted bail, I am inclined to grant bail to the petitioner subject to the following 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 Court, Palacode, Dharmapuri District, 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.



CrI.O.P.No.27621 of 2023

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[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.

[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.

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Crl.O.P.No.27621 of 2023

C.V.KARTHIKEYAN. J.

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To

- 1.The Judicial Magistrate Court, Palacode, Dharmapuri District.
- 2.The Sub-jail, Dharmapuri.
- 3.The Inspector of Police,
Marandahalli Police Station,
Dharmapuri District.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.27621 of 2023

08.12.2023