



Crl.O.P.No.29001 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2023

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.29001 of 2023

Vijay @ Guru Vijay

... Petitioner

Vs.

The State rep by
The Sub Inspector of Police,
Jayankondam Police Station
Ariyalur District.
Crime No.584 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner / Accused on bail in Crime No.584 of 2023
pending on the file of the respondent Police.

For Petitioner : Mr.D.Lakshmipathy

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor



Crl.O.P.No.29001 of 2023

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ORDER

The petitioner who is arrested and remanded to judicial custody on 03.12.2023 for the offences punishable under Section 399 of IPC in Crime No.584 of 2023 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner along with accused were found in possession of weapons and they have planned to commit dacoity. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is a innocent persons and he has been falsely implicated in this case. He further submitted that the petitioner had been in judicial custody from 03.12.2023 and co-accused were granted bail. Hence, he seeks for granting of bail to the petitioners.

4.The learned Additional Public Prosecutor for the respondent submitted that the the petitioner is found in possession of weapons and they have planned to commit dacoity. Hence, she opposed for granting of bail to the petitioner.

5.Heard both side and perused the materials available on record.



Crl.O.P.No.29001 of 2023

6.Considering the rival submissions made on either side and taking into consideration the period of incarceration undergone by the petitioner **and co-accused were arrested and released on bail**, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] 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.I, Jayankondam** and on further conditions that:

[b] the petitioner shall report before the respondent police, everyday at 10.00 a.m for a period of one month.

[c] the petitioner shall not commit any offences of similar nature.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered



Crl.O.P.No.29001 of 2023

under Section 229A IPC.

28.12.2023

smn/shl

To

1. The Judicial Magistrate No.I,
Jayankondam.
2. The Sub Inspector of Police,
Jayankondam Police Station,
Ariyalur District.
3. The Sub Jail,
Jayankondam.
4. The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



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Crl.O.P.No.29001 of 2023

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Crl.O.P.No.29001 of 2023

28.12.2023