



Crl.O.P.no.29087 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.29087 of 2023

1.Manikandan @ Gundu Mani
Son of Suresh

...Petitioner/Accused-3

Vs

State Rep. By
The Inspector of Police
MGR Nagar Police Station,
Chennai District
(Crime No.439 of 2023)

... Respondent

Petition filed under Sec.439 of Cr.P.C to enlarge the petitioner on bail in Crime No.439 of 2023 pending investigation on the file of the respondent police.

For Petitioner : Mr.P.Muthamizh Selvakumar

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



Crl.O.P.no.29087 of 2023

ORDER

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 27.11.2023 for an offence under sections 342, 294(b), 323, 397, 506(ii) of IPC in Crime No. 439 of 2023 on the file of the Inspector of Police, MGR Nagar Police Station, Chennai seeks bail.

2.The learned counsel appearing for the petitioner would contend that the petitioner is in custody for more than 25 days and they have not committed any offence as alleged in FIR. Hence, he prayed to grant bail to the petitioner.

3. The learned Additional Public Prosecutor appearing for the respondent police would contend that the petitioner robbed a sum of Rs.1000/- at knife point and also taken house hold articles from the *defacto* complainant and the properties were recovered. The Additional Public Prosecutor would further submit that there are twenty previous cases against the petitioner and the offences are grave in nature. If the petitioner released on bail, it will affect the investigation and thereby, she



Crl.O.P.no.29087 of 2023

strongly opposed to grant bail to the petitioner.

WEB COPY

4.Heard both sides and perused the materials available on record including the First Information Report.

5.Considering the submissions made on either side, considering the period of incarceration and the fact that the properties have been recovered, this court is 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 XXIII Metropolitan Magistrate Court, Saidapet and on further conditions that:

[b] the petitioner shall report before respondent police daily at 10.00 A.M., until further orders.

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



Crl.O.P.no.29087 of 2023

[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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

28.12.2023

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
gpa/dpa

TO

1. XXIII Metropolitan Magistrate Court,
Saidapet
2. Central Prison, Puzhal,
Chennai
3. The Inspector of Police
MGR Nagar Police Station,

4/6



Crl.O.P.no.29087 of 2023

Chennai.
4.The Public Prosecutor,
Madras High Court, Chennai.

P.DHANABAL,J

gpa/dpa

Crl.O.P.No.29087 of 2023



WEB COPY



Crl.O.P.no.29087 of 2023

28.12.2023