



CRL OP(MD). No.20079 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/11/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.20079 of 2023

Sekar

... Petitioner/ Accused

Vs

The Inspector of Police,
Keeranur Police Station,
Pudukottai District.
(Crime No.343 of 2023).

... Respondent/ Complainant

For Petitioner : M. Subash Chandra Bose,
Advocate.

For Respondent : Mr.RMS.Sethuraman,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.343 of 2023 on the file of the Respondent Police.



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WISERPN ORDER : The Court made the following order :-

The petitioner/ accused who was arrested and remanded to judicial custody on 24.10.2023 for the alleged offence punishable under Sections 392 and 397 in Crime No.343 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the defacto complainant was standing near Panjabi Dhaba on 23.10.2023 at 4.00 pm, the petitioner herein came with knife and threatened him with dire consequences and took away a sum of Rs.1,200/- from his pocket and ran away from the place of occurrence. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He would further submit that the petitioner is in jail from 24.10.2023 and hence, he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner herein is having one previous case and no one has sustained injury in the said occurrence. He would further submit that the



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investigation of the case is pending.

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5. Considering the nature of allegations made against the petitioner and also considering the period of incarceration and also taking into consideration of the principle stated by the Honourable Supreme Court in Sanjay Chandra and others vs. CBI reported in (2012)1 SCC 40 and the nature of the offence alleged by the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on condition to execute own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) subject to the satisfaction of the learned Judicial Magistrate, Keeranur, Pudukkottai District and on further conditions that:

(i) the petitioner shall appear before the trial Court on receipt of summons as directed by the trial Court.

(ii) the petitioner shall not tamper with evidence or witness;

(iii) the petitioner shall not abscond during trial.



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(iv) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/11/2023

/ TRUE COPY /

22/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

trp

TO

1. THE JUDICIAL MAGISTRATE, KEERANUR, PUDUKKOTTAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.



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3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

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4. THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
PUDUKOTTAI DISTRICT.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.20079 of 2023

Date :22/11/2023

RK (22/11/2023) 5P / 6C

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