



Crl.O.P.No.2678 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM

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

Crl.O.P.No.2678 of 2024

Redoy

..Petitioner

Vs.

State represented by
The Inspector of Police,
Perumanallur Police Station,
Tiruppur District.
(Crime No.137 of 2022).

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in P.R.C.No.13 of 2023 on the file of the learned Judicial Magistrate, Avinashi.

For Petitioner : Mr.K.Shivakumar

For Respondent : Mr.L.Baskaran
Govt. Advocate (Crl. Side)

ORDER

The petitioner/A6 seeks bail in P.R.C.No.13 of 2023 on the file of the learned Judicial Magistrate, Avinashi.



2.Originally, Crime No.137 of 2022 had been registered by the respondent Police under Sections 364A, 120B, 147, 109 IPC and 14, 14B, 3(2)(a), 3(2)(c) of Foreigners Act. The petitioner had been remanded to judicial custody on 03.04.2022.

3.It is the case of the defacto complainant that her husband did not return home on 01.04.2023 and later, in the middle of the night, she received a call demanding ransom. Thereafter, the husband of the defacto complainant was rescued and the accused had been taken into custody.

4.The other accused have been granted bail. So far as this petitioner is concerned, it is stated that he is the citizen of Bangladesh.

5.The petitioner had produced an Aadhar Card which contained a false address.

6.This Court had informed the petitioner that he should give with a correct address but unfortunately it was not coming. But however, the period of incarceration is quite substantial.

7.Taking into consideration that fact and also of the fact that the other accused had been granted bail, this Court is inclined to grant bail to the petitioner subject to the following conditions:



8. 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, (out of which, one must be a blood related surety) each for a like sum to the satisfaction of the **learned Judicial Magistrate, Avinashi**, 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 learned Judicial Magistrate, Avinashi, may take into consideration the fact that it is alleged that this petitioner is a citizen of Bangladesh and therefore, verify the citizenship of that particular blood surety and also verify the credentials of the local surety and thereafter accept them.

[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 Magistrate/Trial Court is entitled to take appropriate



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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.

25.03.2024

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To

- 1.The Judicial Magistrate, Avinashi.
2. The Central Prison, Puzhal.
- 3.The Inspector of Police,
Perumanallur Police Station,
Tiruppur District.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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