



Crl.O.P.No.2910 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

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

Crl.O.P.No.2910 of 2024

Bharath

...petitioner

Vs.

State represented by
The Sub Inspector of Police,
Arakkonam Town Police Station,
Ranipet District.
(Crime No.641 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.641 of 2023 on the file of the respondent Police.

For petitioner : Mr.R.Sasikumar

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 13.12.2023 for the offences originally registered by the respondent Police under Sections 341, 384 of IPC and subsequently, altered to



Crl.O.P.No.2910 of 2024

Sections 341, 384 of IPC r/w Section 25(1A) of Indian Arms Act, 1959, in Crime No.641 of 2023, seeks bail.

2.It is the case of the prosecution that on 11.12.2023, when the defacto complainant was walking near Palanipet Tasmac shop, he was waylaid and assaulted at knife point and Rs.800/- was robbed from him.

3.The matter had been adjourned on two or three occasions only because it has been stated that there was a proposal to detain the petitioner under Act 14 of 1982. It is now stated that the wife of the petitioner had given a representation seeking mercy and that the same is under consideration of the District Collector at Ranipet.

4.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Arakkonam and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate



CrI.O.P.No.2910 of 2024

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 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.

23.02.2024

vkrr

C.V.KARTHIKEYAN. J.

vkrr



Crl.O.P.No.2910 of 2024

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To

1. The Judicial Magistrate, Arakkonam.
2. The Central Prison, Vellore.
3. The Sub Inspector of Police,
Arakkonam Town Police Station,
Ranipet District.
4. The Public Prosecutor, High Court of Madras.

Crl.O.P.No.2910 of 2024

23.02.2024