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Crl.O.P.No.3027 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2024

CORAM

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

Crl.O.P.No.3027 of 2024

Rajkannu

... Petitioner

Vs.

State Rep by the
Inspector of Police,
Vadapathimangalam Police Station,
Thiruvarur District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.3 of 2024 on the file of
the respondent.

For Petitioner : Mr.J. Ranjithkumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 04.01.2024, for the offences registered under Sections 392 and 397 of
IPC, in Crime No.3 of 2024 on the file of the respondent Police, seeks bail.



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2. The case of the prosecution is that the defacto complainant is running a mutton shop and when he was coming to purchase goods at that time to the near by village, the petitioner robbed a sum of Rs.2,000/- from him.

3. The main objection raised against the respondent is that there are 4 previous cases pending against the petitioner. It is stated that the petitioner is a history sheet. However the facts of this case should be looked in an isolated manner.

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 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.II, Mannargudi** and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb



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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 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.

12.02.2024

smn

To

- 1.The **Judicial Magistrate No.II, Mannargudi**
- 2.The Inspector of Police,Vadapathimangalam Police Station, Thiruvarur District.
- 3.The Sub Jail, Mannargudi.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

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