



CrI.O.P.No.5057 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM

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

CrI.O.P.No.5057 of 2024

Karuppu @ Ashokkumar

...Petitioner

Vs.

State represented by
The Sub Inspector of Police,
Nemili Police Station,
Ranipet District.
Crime No.45 of 2024

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.45 of 2024 on the file of the respondent Police.

For petitioner : M/s.R.Raji

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)

ORDER

The petitioner who was remanded to judicial custody on 03.02.2024 for the offences originally registered by the respondent Police



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under Section 392 IPC and subsequently, altered to Sections 395 r/w 397 of IPC, in Crime No.45 of 2024 seeks bail.

2.The case of the prosecution is that when the defacto complainant was inside the tasmac shop, all the accused came there and snatched a sum of Rs.42,000/- from him.

3.The learned Government Advocate (crl.side) raised objections stating that A1 had been detained under Act 14 of 1982. He further stated that from this petitioner, about Rs.1,000/- had been recovered. Totally, a sum of Rs.17,000/- had been recovered from all the accused. He also stated that the investigation has been completed and final report had also been filed.

4.Taking all these factors into consideration and the period of incarceration into consideration, 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 :-



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[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 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.

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C.V.KARTHIKEYAN. J.

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To

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

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