



CrI.O.P.No.5658 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.5658 of 2024

Ganesh

...Petitioner

Vs.

State represented by
The Inspector of Police,
Vellore North Police Station,
Vellore District.
Crime No.68 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.68 of 2024 on the file of the respondent Police.

For petitioner : Mr.M.R.Thangavel

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

ORDER

The petitioner who was remanded to judicial custody on 02.02.2024 for the offences registered by the respondent Police under Sections 392 and 397 of IPC, in Crime No.68 of 2024 seeks bail.



2.The case of the prosecution is that all the accused had demanded monthly mamool from the defacto complainant and when he refused, all the accused had threatened and robbed a sum of Rs.50,000/- from him at knife point.

3.The learned Government Advocate (crl.side) stated that there has been recovery of portion of that amount from this petitioner. There is one previous case registered under Section 307 IPC against the petitioner.

4.It is also stated that A5 is still absconding.

5. But however, taking all other 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:

6. 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 No.IV, Vellore 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.



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[b] the petitioner shall stay at Trichy and report before the Inspector of Police, Cantonment Police Station, everyday at 10.30 a.m., for a period of 20 days and thereafter, 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.

07.03.2024

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To

1. The Judicial Magistrate No.IV, Vellore.
2. The Central Prison, Thorapadi, Vellore.



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3. The Inspector of Police,
Vellore North Police Station,
Vellore District.

4.The Public Prosecutor, High Court of Madras.

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