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Crl.O.P.No.6898 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM

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

Crl.O.P.No.6898 of 2024

Lakshmipathy

... Petitioner

Vs.

The State Rep by
Inspector of Police,
Avadi Police Station,
(Crime No.48 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.48 of 2024 on the file of
the respondent.

For Petitioner : Mr.R. Sankarasubbu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 26.01.2024 , for the offences registered under Sections 392 r/w 397 of
I.P.C in Crime No.48 of 2024 on the file of the respondent Police, seeks bail.



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2. The case of the prosecution is that the petitioner along with other accused waylaid the defacto complainant and robbed a two wheeler, camera and a sum of Rs.1,500/- from him.

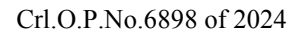
3. The learned Government Advocate for the respondent submitted that there are no previous cases pending against the petitioner. He further stated that the stolen property was recovered.

4. Taking into consideration the period of incarceration and the fact that the stolen property was recovered, I am 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-II, Poonamallee** 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.



[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.

28.03.2024

smn

To

1. The **Judicial Magistrate-II, Poonamallee**
2. The Inspector of Police,
Avadi Police Station,
(Crime No.48 of 2024)
3. The Central Prison, Puzhal-II, Chennai
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

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