



Crl.O.P.No.7205 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

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

Crl.O.P.No.7205 of 2024

Deepakumar

...Petitioner/A4

Vs.

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

...Respondent/Complainant

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 : Mr.P.Prathapkumar

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



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ORDER

The petitioner who was remanded to judicial custody on 05.02.2024 for the offences originally registered by the respondent Police under Section 392 IPC and subsequently, altered to Section 397 of IPC, in Crime No.45 of 2024 seeks bail.

2.A memo has been filed by the learned counsel for the petitioner to include Section 397 IPC instead of Section 395 IPC. The memo is recorded. The Registry may carry out necessary amendment while issuing the order copy.

3.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.

4.It is stated that from A3, 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.

5.The learned counsel for the petitioner stated that the co-accused had been granted bail by this Court on 07.03.2024 and 15.03.2024 in Crl.O.P.No.5057 of 2024 and Crl.O.P.No.6378 of 2024 respectively.



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6. Taking that factor into consideration and the period of incarceration into consideration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. 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 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



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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.

27.03.2024

smv

To

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

C.V.KARTHIKEYAN. J.

smv



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