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Crl.O.P.No.12146 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2024

CORAM

THE HON'BLE MR. JUSTICE S.SOUNTHAR

Crl.O.P.No.12146 of 2024

Jegath Hari

... Petitioner/A-1

Vs.

The State rep. by its,
The Inspector of Police,
Sulur Police Station,
Coimbatore Dt.
Complainant
Crime No.774 of 2023

... Respondent /

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C., prayed to enlarge the petitioner on bail in Crime No.774 of 2023 on the file of the respondent Police.

For Petitioner : Mr.J.Thomas Saran Singh

For Respondent : Ms.Inshiya Farveen Iqbal
Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 27.11.2023 for the offences under Sections 395, 397, 364(a) of I.P.C., in Crime No.774 of 2023 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 a call-taxi driver and on the date of occurrence, the petitioner along with other four accused said to have threatened the defacto complainant and robbed a sum of Rs.2000/- from him at knife point.

3. The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in this case.

3.The learned Government Advocate (crl.side) raised objections stating that there are seven previous case pending against the petitioner, investigation was completed and charge sheet was also filed.

4.Having regard to nature of allegation made against the petitioner and taking into consideration, the period of incarceration and also of the fact that the investigation was completed and charge sheet was also filed, 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**



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Thousand only) with two sureties, **(one must be a blood surety)**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Sulur**, 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 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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S.SOUNTHAR, J.

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To

- 1.The Judicial Magistrate Court,
Sulur.
- 2.The Inspector of Police,
Sulur Police Station,
Coimbatore Dt.
- 3.The Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.

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