



Crl.O.P.No.12750 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2024

CORAM

THE HON'BLE MR. JUSTICE S. SOUNTHAR

Crl.O.P.No.12750 of 2024

Settu

...Petitioner

Vs.

State represented by
The Inspector of Police,
T-12, Poonamallee Police Station
Tiruvallur
(Crime No.273 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.273 of 2024 pending investigation on the file of the Inspector of Police, T-12, Poonamallee Police Station, Tiruvallur.

For Petitioner : Mr.U.Ganesh Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



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ORDER

The petitioner who was arrested and remanded to judicial custody on 09.04.2023 for the offences registered by the respondent Police under Sections 294(b), 336, 341, 397 and 506(ii) of IPC in Crime No. 273 of 2024, seek bail.

2.The case of the prosecution is that the petitioner along with two other accused had threatened and abused the defacto complainant with knife and forcefully taken away a sum of Rs.550/- from him. Hence, the defacto complainant preferred a complaint before the respondent Police.

3.The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in this case. He also stated that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and he is in judicial custody from 09.04.2023. Hence, he prays for grant of bail.



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4.The learned Government Advocate (crl.side) stated that the amount had been recovered from the petitioner.

5.Taking all the factors into consideration and the period of incarceration and also the fact that the amount has been recovered, 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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, No.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.



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[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.

29.05.2024

msv

To

1. Judicial Magistrate, No.II, Poonamallee

2. The Central Prison, Puzhal

3. The Inspector of Police,
T-12, Poonamallee Police Station
Tiruvallur

4. The Public Prosecutor, High Court of Madras.



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S. SOUNTHAR, J.

msv

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