



Crl.O.P.No.16890 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.07.2024

CORAM :

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.16890 of 2024

R.Saravanel
S/o. Rajamani

.. Petitioner

Vs.

State represented by
The Sub-Inspector of Police,
Tirupathur Town Police Station,
Tirupathur Dt.
(Crime No.257 of 2024)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.257 of 2024 on the file of respondent police.

For Petitioner : Mr.C.D.Sugumar

For Respondent : Mr.V.Meganathan
Govt. Advocate (Crl. Side)

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 12.06.2024 for the alleged offence under Sections 384 of I.P.C. in Crime No.257 of 2024 on the file of the respondent police, seek bail.

2. The case of prosecution is that on 11.06.2024 at about 11.00 p.m. at TMC Colony, near Tirupathur Bus depot, the petitioner along with other accused said to have extorted the defacto complainant by showing deadly weapon and taken away their mobile phones at knife point and escaped from the place of occurrence. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioners would submit that as per the prosecution, only three persons were involved in the alleged occurrence, however, this petitioner is being friend of other accused, he has been added as a accused without any materials. He would submit that he is no way connected with the offence and he has not committed any of offence as alleged by the respondent police. He would also submit that he has been falsely implicated in this case and he will abide by any condition that may



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be imposed by this court. He would also submit that the petitioners have been suffering incarceration for more than 36 days from 12.06.2024. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 3 accused involved in this case and the petitioner is arrayed as A3. He would submit that two previous cases pending against the petitioner and co-accused were released on bail. He would also submit that if he is released on bail, he would hamper the investigation and tamper the witnesses and the investigation is almost completed. However, he would vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances and also the fact that the investigation is almost completed and co-accused were released on bail and on considering the period of incarceration undergone by the petitioner from 12.06.2024, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to **deposit totally a sum**



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of Rs.10,000/- (Rupees ten thousand only) as non-refundable deposit to the credit of Tamil Nadu Advocate Clerk Association, Chennai. Current Account No.484026006, IFSC No.IDIB000M157, Indian Bank, High Court Branch and on such deposit, petitioner is ordered to be released on bail on executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, for a like sum to the satisfaction of the *Judicial Magistrate No.I, Tirupathur*, 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 on alternative days at 10.30 a.m. for the period of two months.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the



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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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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To

- 1.The Judicial Magistrate No.I, Tirupathur.
- 2.The Sub-Inspector of Police, Tirupathur Town Police Station, Tirupathur.
- 3.The Superintendent of Prison, Sub-Jail, Tirupathur, Tirupathur Dt.
- 4.The Public Prosecutor, High Court, Madras.

T.V.THAMILSELVI, J.



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