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Crl.O.P.No.22826 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.22826 of 2024

Shankar

... Petitioner

Vs.

State represented by
The Inspector of Police,
Nallur Police Station
Tiruppur
(Crime No.351 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No. 351 of 2024 on the file
of the respondent Police.

For Petitioner : Mr.B. Prashanth Nadaraj

For Respondent : Mr.S.Vinothkumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 12.08.2024, for the alleged offence punishable under Sections 392, 395



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and 397 of I.P.C,1860 in Crime No. 351 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 03.06.2024, at about 10.50 p.m., the defacto complainant was returning home after his works as a salesman in TASMAC, at that time, the petitioner along with other accused persons, intercepted the defacto complainant and robbed him, a sum of Rs.2,50,000/- which was the collection from the TASMAC sales for that date. The next day, he was admitted to the hospital, and the respondent police recorded the information and registered the crime. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He has not committed any offence as alleged in the FIR. He further submits that based on the confession of the arrested accused, this petitioner was arrayed as an accused. He would further submit that the petitioner was arrested and is in judicial custody for more than 35 days and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.



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all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his 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 Judicial Magistrate Court IV, Tiruppur and on further conditions that:-

[a] the petitioner shall report before the respondent police, daily at 10.30 a.m., until further orders.

[b] the Petitioner shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[c] the Petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[d] the Petitioner shall not abscond either during investigation or trial;



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[e] On breach of any of the aforesaid conditions, the learned Judicial 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 269 B.N.S.

18.09.2024

drl

To

1.The Judicial Magistrate Court IV,
Tiruppur

2.The Inspector of Police,
Nallur Police Station
Tiruppur

3.The Superintendent,
Sub Jail, tiruppur

4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



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