



WEB COPY



CrI.O.P.No.21942 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.09.2024

CORAM

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

CrI.O.P.No.21942 of 2024

Manimaran

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur District.
(Crime No. 245 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.245 of 2024 on the file
of the respondent Police.

For Petitioner : Mr.P. RajPrabhu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 26.06.2024, for the alleged offences punishable under Section 394 of IPC,



Crl.O.P.No.21942 of 2024

in Crime No.245 of 2024, on the file of the respondent police, seeks bail.

WEB COPY

2. The case of the prosecution is that the petitioner along with other accused waylaid the defacto complainant and robbed golden ornaments weighing 8 soverigns approximately. Hence the complaint.

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 further submit that he has not committed any offence as alleged in the FIR. He was arrested and is in judicial custody for more than 60 days and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with other accused waylaid the defacto complainant and robbed golden ornaments weighing 8 soverigns approximately. He further submitted that the some of the properties were recovered from the petitioner. He further submitted that the petitioner has three previous case, similar in nature, pending against him. However, he strongly opposed to grant bail to the petitioner.



CrI.O.P.No.21942 of 2024

WEB COPY

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submission of the learned counsel on either side, considering the period of incarceration undergone by the petitioner and also taking note of the fact that some of the properties were recovered and considering that the petitioner has three previous cases, in which, he has been released on bail, and also considering 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, Palladam, Tiruppur District and on further conditions that:-

[a] the petitioner shall report before the Palladam Police Station everyday at 10.30 a.m., until further orders.

[b] the petitioner shall not commit any offences of similar nature.



Crl.O.P.No.21942 of 2024

WEB COPY

[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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

06.09.2024

smn



CrI.O.P.No.21942 of 2024

To
WEB COPY

- 1.The Judicial Magistrate, Palladam, Tiruppur District
- 2.The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur District.
- 3.The Superintendent,
Central Prison,
Tiruppur
- 4.The Public Prosecutor,
High Court of Madras.

P.DHANABAL, J.



WEB COPY



Crl.O.P.No.21942 of 2024

smn

Crl.O.P.No.21942 of 2024

06.09.2024