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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CRL OP. 30579 of 2024

S.KATHAR @ SHEIK KATHAR
S/O.SALEEM, NO.1/2, NIMANDARA OTHAVADAI
STREET, BIG KANCHIPURAM, KANCHIPURAM
DISTRICT.

PETITIONER(S)

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE VISHNU KANCHI
POLICE STATION, KANCHIPURAM DISTRICT.
CR.NO.98 OF 2024.

RESPONDENT(S)

For Petitioner(s):

A.SARANRAJ
D.SUDHARSANAM
V.S.MADHANRAJ

For Respondent(s):

V.Meganathan,
Government Advocate (Crl. side)

PRAYER: This petition has been filed under Section 438 of B.N.S.S, to enlarge the petitioner on bail in SC No. 117 of 2024 in Crime No. 98 of 2024 pending on the file of the learned District and Sessions Court No.II, Kanchipuram.

ORDER



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This petition has been filed to enlarge the petitioner on bail in SC No. 117 of 2024 in Crime No. 98 of 2024 pending on the file of the learned District and Sessions Court No.II, Kanchipuram.

2. The case of the prosecution is that the petitioner has waylaid the defacto complainant abused him in filthy language and robbed a sum of Rs.3,000/- from him at knife point. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and in fact, investigation has been completed and the final report also filed in this case. Hence, he prays to allow this petition.

4. The learned Government Advocate (Crl. side) submits the petitioner is A categorized history sheeter. Hence, he raised objection to grant bail.

5. Considering the facts and circumstances of the case and also the fact that the investigation has been completed and the final report also filed in this case. Further, he obtained bail in other cases. Hence, this Court is inclined to grant bail to the petitioner.

6. 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 (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.I, Kanchipuram**, 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 daily at 10.30 a.m., for a period of three months.

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

12.12.2024

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To

- 1.The Public Prosecutor,
High Court, Madras.
2. THE INSPECTOR OF POLICE VISHNU KANCHI POLICE STATION,
KANCHIPURAM DISTRICT.
3. The Judicial Magistrate No.I, Kanchipuram
4. The Central Prison, Puzhal, Chennai.

T.V.THAMILSELVI, J.



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