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Crl.O.P.No.676 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.676 of 2024

Manju @ Manjunath S/o. Jagadesan

... Petitioner/Accused-1

Vs.

The State represented by
The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.

(Crime No.369 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.369 of 2023 on the file of
the respondent.

For Petitioner : Mr.M.P.Saravanan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



CrI.O.P.No.676 of 2024

WEB COPY

ORDER

The petitioner/A1 seeks bail in Crime No.369 of 2023, registered by the respondent police for the offence under Sections 399 & 402 of IPC. The petitioner had been remanded to custody on 17.10.2023.

2.It is the case of the prosecution that the petitioner along with other four accused had gathered to commit dacoity and escaped from the place when the respondent police arrived to the spot.

3.It is stated that A2 and A3 had been granted anticipatory.

4.The earlier application seeking bail was dismissed on 08.12.2023 since a representation was made that there is a proposal to detain the petitioner under Act 14 of 1982 but however, liberty was given to file a fresh application after a period of four weeks if the said proposal is not completed. There has been no process in that endeavour.



CrI.O.P.No.676 of 2024

5.Taking all the factors into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

6.Accordingly, the petitioner is ordered to be released on bail on condition to execute 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, Krishnagiri, 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.

[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



CrI.O.P.No.676 of 2024

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.

12.01.2024

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CrI.O.P.No.676 of 2024

To

- 1.The Judicial Magistrate No.II, Krishnagiri.
- 2.The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.
- 3.Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN, J.



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Crl.O.P.No.676 of 2024

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Crl.O.P.No.676 of 2024

12.01.2024