

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Eighth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.12288 of 2019

SYED JAHITH

[ PETITIONER / ACCUSED ]

Vs

THE STATE REPRESENTED BY [ RESPONDENT ]  
THE INSPECTOR OF POLICE,  
H6, R.K.NAGAR POLICE STATION,  
CHENNAI.  
CRIME NO.385 OF 2019

For Petitioner : M/S.D.PRASANNA KUMAR Advocate

For Respondent : MRS.M.PRABHAVATHI, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody on 24.04.2019 for the offence under Sections 341, 294 (b), 394, 397 and 506 (ii) of IPC in Crime No.385 of 2019 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused persons waylaid the de-facto complainant and threatened him with dire consequences and they have robbed a sum of Rs.450/- at knife point. There are totally five accused persons in this case and the petitioner is arrayed as A1.

3.The learned counsel for the petitioner submitted that a false case has been foisted against this petitioner and he has nothing to do with this alleged offence. The learned counsel further submitted that the petitioner was arrested and remanded to the judicial custody on 24.04.2019 and he has already suffered incarceration for more than 15 days.

4.The learned Additional Public prosecutor submitted that the injured has been discharged and money has also been recovered and there are no previous cases against this petitioner.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner has already suffered incarceration for more than 15 days and the stolen money has already been recovered by the respondent police and there are no previous cases against this petitioner, this Court is inclined to grant bail to the petitioner subject to the following condition.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned XV Metropolitan Magistrate Court, George Town 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 XV Metropolitan Magistrate, George Town, every Monday at 10.30 a.m, until further orders.

[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 learned XV Metropolitan 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 XV Metropolitan 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 229A IPC.

-sd/-

08/05/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE XV METROPOLITAN MAGISTRATE  
GEORGE TOWN, CHENNAI

2 THE CHIEF METROPOLITAN MAGISTRATE,  
EGMORE, CHENNAI [FOR INFORMATION]

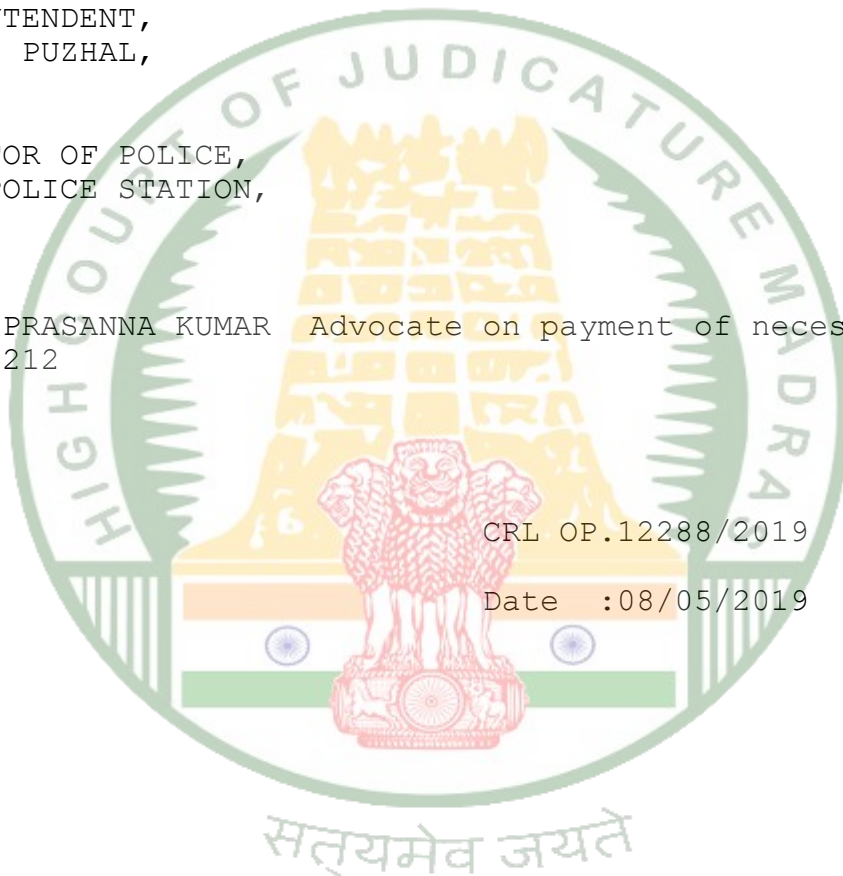
3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,  
CENTRAL PRISON, PUZHAL,  
CHENNAI

5 THE INSPECTOR OF POLICE,  
H6, R.K.NAGAR POLICE STATION,  
CHENNAI.

+1 CC to D.PRASANNA KUMAR Advocate on payment of necessary  
charges SR.NO.9212

cm 09/05/2019



WEB COPY