

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Nineteenth day of December Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice M. SATHYANARAYANAN

and

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.32146 of 2019

**[\*]A.R.CHANDRAN @ A.RAVICHANDRAN @ A.R.SAI CHANDRAN @ A.R.JAICHANDRAN** [ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
THE DISTRICT CRIME BRANCH,  
DHARMAPURI DISTRICT,  
DHARMAPURI.  
CR.NO.1/2018. [ RESPONDENT ]

For Petitioner : M/S.P.KUMARESAN, Advocate for  
M/S.N.ELUMALAI Advocate

For Respondent : MR.R.PRATHAP KUMAR (ADDITIONAL PUBLIC PROSECUTOR)

For Intervener : M/S.A.ILAYA PERUMAL, Advocate

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

The petitioner is the prime accused according to the respondent / State and he was remanded to judicial custody on 29.09.2019 for the alleged commission of offences under Sections 471, 468, 465, 420 and 120(B) IPC in Crime No.1/2018, registered by the respondent/Police.

2. Mr.P.Kumaresan, learned counsel appearing for the petitioner would submit that the application for bail filed by the petitioner in CrI.O.P.No.27793 of 2019 came to be dismissed on 07.11.2019 and in the light of the fact that despite 60 days had expired from the date of his remand, the respondent is yet to file charge sheet and therefore he got indefeasible right to come out on bail.

3. Per contra, Mr.R.Prathap Kumar, learned Additional Public prosecutor appearing for the State would submit that the petitioner is the prime accused and though charge sheet has not been filed, the fact remains that in the event of petitioner being coming out on bail, he would definitely indulge in illegal activities and prays for dismissal of this petition.

4. This Court has considered the rival submission and also perused the materials placed before it.

5. Admittedly the petitioner was arrested and remanded to judicial custody on 29.09.2019 and despite a lapse of 60 days, charge sheet is yet to be filed. It is the submission of the learned Additional Public Prosecutor that the investigation is in advance stage.

6. This Court in the light of the provisions of Section 167 (2) Cr.P.C, is inclined to enlarge him on Statutory Bail, subject to condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.II, Dharmapuri and he shall report before the respondent Police every day as per English calender year at 11.00 am and 6.00 pm until further orders. The petitioner shall not indulge in activities of tampering of witnesses and hampering of investigation. If the petitioner fails to comply with any one of the conditions, it is open to the respondent/State to move this Court for cancellation of the bail.

In the result, this Criminal Original Petition is ordered.

-sd/-  
19/12/2019

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

सत्यमेव जयते  
TRUE COPY

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

**[\*] Amended as per the order of this court dated 29/01/2020 MADE IN CRL.MP.NO.567/2020 IN CRL.OP.NO.32146 OF 2019.**

TO

1 THE JUDICIAL MAGISTRATE,  
NO.II, DHARMAPURI.

2 THE CHIEF JUDICIAL MAGISTRATE  
DHARMAPURI. [FOR INFORMATION]

<https://hcservices.ecourts.gov.in/hcservices/>

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
THE DISTRICT CRIME BRANCH,  
DHARMAPURI DISTRICT,  
DHARMAPURI.

5 THE SUPERINTENDENT,  
CENTRAL PRISON, SALEM.

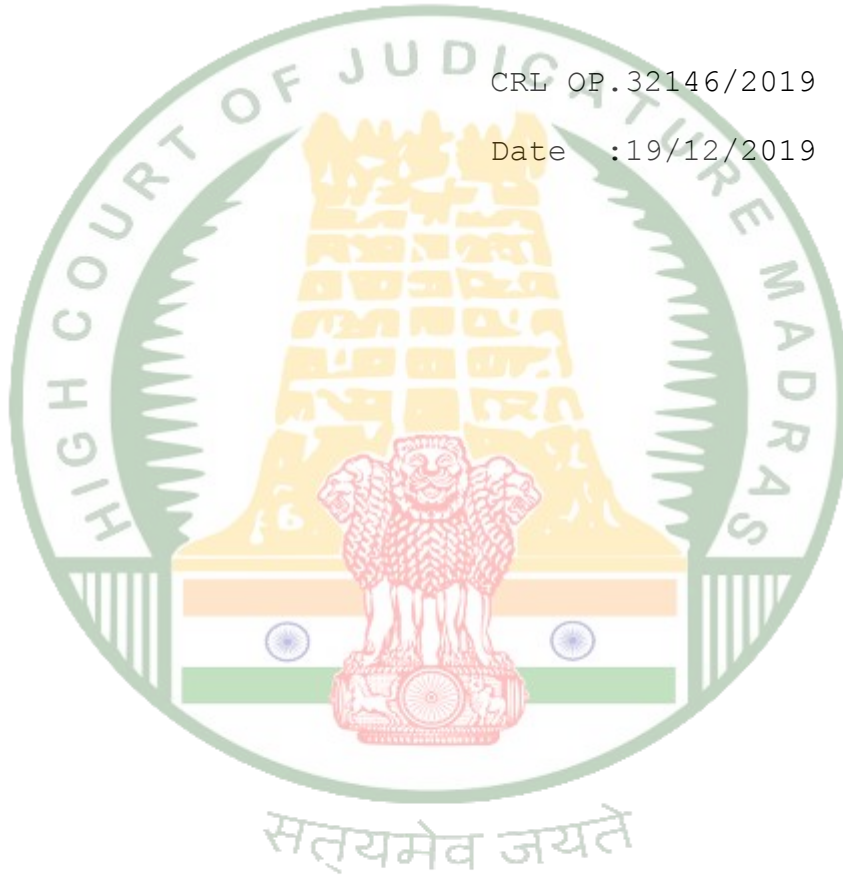
+1 CC to M/S.N.ELUMALAI Advocate on payment of necessary charges  
SR.NO.1777

CRL OP.32146/2019

Date :19/12/2019

TA-20/12/2019

RD 30/01/2020



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