

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.8931 of 2020

Sasi Kumar

.... Petitioner

Vs.

State rep. by

The Inspector of Police,
M-5, Ennore Police Station,
Chennai - 600 057.
(Crime No.1103 of 2020)

.... Respondent

Prayer : Criminal Original Petition filed under Section 439 Cr.P.C., to grant bail to the petitioner in Crime No.1103 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.D.Saravanan

For Respondent : Mr.C.Iyyaparaj
Additional Public Prosecutor

O R D E R

The petitioner who was arrested and remanded to judicial custody on 01.06.2020 for the offence under Sections 294(b), 341, 397 and 506(ii) of IPC in Crime No.1103 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused had robbed the defacto complainant with knife point and stolen a sum of Rs.1,000/- . Hence, the case came to be registered.

3. The learned counsel of the petitioner submitted the respondent police picked up the petitioner only for an enquiry and later he was arrayed as A2 in this case. The petitioner is not aware of who is A1 and he has no bad antecedents and also he has not involved in similar type of offence U/s 506(ii) of IPC. Hence seeks grant of bail.

4. The learned Additional Public Prosecutor submitted that the petitioner joined along with A1 and robbed Rs.1,000/- from the defacto complainant at knife point in the public road and A1 in this case has already been arrested. He would further submit that the petitioner has earlier involved for the offence U/s 506(ii) of IPC and opposed the

5. Considering the facts and circumstances of the case and A1 in this case has already been arrested, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

a) the petitioner shall execute his own bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) before the Superintendent of the concerned prison.

b) thereafter, the petitioner shall execute two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the concerned Magistrate, failing which the bail granted by this Court shall stand dismissed.

[c] 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.

[d] the petitioner shall report before the respondent police daily for a period of two weeks and thereafter as and when required for interrogation.

[e] the petitioner shall appear before the trial Court during every hearing date without fail.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] the petitioner shall not abscond either during investigation or trial.

[h] 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 petitioners 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].

[i] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
18/06/2020

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 JUDICIAL MAGISTRATE,
THIRUVOTTIYUR.

2 THE OFFICER INCHARGE,
SUB-JAIL, PONNERI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
M-5 ENNORE POLICE STATION,
CHENNAI.

CC to M/S.D.SARAVANAN Advocate on payment of necessary charges

CRL OP.8931/2020

Date :18/06/2020

cs 16/10/2020



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