

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Date : 12.05.2021

PRESENT

THE HON`BLE MR.JUSTICE G.CHANDRASEKHARAN

CRL OP. No.9014 of 2021

1.Gopi
2.Manikandan
3.Arul

... Petitioners/Accused 1 to 3

Vs

State by
Sub Inspector of Police,
Thiruvannamalai East Station,
Thiruvannamalai
in Cr. No.127 of 2021

... Respondent/Complainant

For Petitioners : Mr.M.Prabhakar

For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

To enlarge the Petitioners/Accused No.1 to 3 on bail pending investigation in Crime No.127 of 2021 on the file of the Respondent Police.

ORDER

The petitioners, who were arrested on 27.03.2021 for the offences punishable under Sections 341, 294(b), 392, 397 of IPC r/w section 3(1) of TNPPD Act in Crime No.127 of 2021, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners are said to have waylaid the defacto complainant on 27.03.2021, at about 8 a.m. and robbed a sum of Rs.2,000/- from his packet. When he protested him, the petitioners attacked him with knife.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and falsely implicated in this case and seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent strongly opposes the petition and submits that one previous case under section 302 IPC is pending against these petitioners.

5.Taking note of the facts and circumstances of the case and also the fact that the petitioners are in judicial custody from 27.03.2021, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on executing separate bonds 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, Thiruvannamalai and on further condition 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 petitioners shall report before the respondent police daily at 10.30 am., until further orders.
- c) the petitioners shall not abscond either during investigation or trial.
- d) the petitioners 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 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].
- f) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

12/05/2021

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,
NO.II, THIRUVANNAMALAI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI (FOR INFORMATION)

3 INSPECTOR OF POLICE,
THIRUVANNAMALAI EAST POLICE,
THIRUVANNAMALAI TOWN,
THIRUVANNAMALAI (TALUK AND DISTRICT)

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

CC to M/S M.PRABHAKAR Advocate on payment of necessary charges
SR.6078

CRL OP.9014/2021

Date :12/05/2021

RVR 13/05/2021



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