

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.06.2021

CORAM :

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10046 of 2021

Navarasu

... Petitioner

Vs.

The State represented by  
The Inspector of Police,  
Tiruvannamalai East Police Station,  
Tiruvannamalai District.  
(Crime No.194 of 2021)

... Respondent

**PRAYER:** Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.194 of 2021 on the file of the respondent police.

For Petitioner : Mr.V.Elango

For Respondent : Mr.E.Raj Thilak  
Government Advocate (Crl.Side)

**ORDER**

**(The case has been heard through video conference)**

Heard both sides.

2. The petitioner, who was arrested and remanded to judicial custody on 10.05.2021 for the offences punishable under Sections 341, 294(b), 323, 392 and r/w.397 of IPC in Crime No 194 of 2021 on the file of the respondent police, seeks bail.

3. The case of the prosecution is that the petitioner along with other accused persons blocked the defacto complainant and snatched a mobile phone worth about Rs.15,000/- of the defacto complainant. Thereafter, the accused persons used filthy language and assaulted him with dire consequences, thereby caused injury. Hence, this complaint.

4. The learned counsel for the petitioner submitted that the petitioner no way connected with the offence and he has been falsely implicated in this case and and hence, the petitioner may be

5. The learned Government Advocate (Crl.Side) submitted that the petitioner, who is arrayed as A1, along with other accused persons snatched a mobile phone of the defacto complainant worth about Rs.15,000/- and thereafter, they assaulted the defacto complainant, thereby caused injury. Further, he submitted that the case property has not been recovered from the petitioner. He further submitted that one previous case is pending against the petitioner. The injured has been discharged from the hospital.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 10.05.2021, this Court is inclined to grant bail to the petitioner with certain conditions.

[a] Accordingly, the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) as non refundable deposit to the credit of the Madras High Court Advocate Clerks Welfare Association (S.B. A/c.No.484077244; IFSC No. IBID000M157) and on such deposit, the petitioner is ordered to be released on bail on condition that he 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 out of which, one shall be a blood related surety, for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the concerned Magistrate within a period of fifteen days from the lifting of lock down and commencement of regular functioning of the Court below, 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 deposit a sum of Rs.15,000/- (Rupees fifteen thousand only) as non refundable deposit to the credit of the Advocate Clerks Association, High Court, Madras.

[e] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[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 petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

7. With the above directions, this Criminal Original Petition is ordered.

-sd/-

09/06/2021

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  
THIRUVANNAMALAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
TIRUVANNAMALAI EAST POLICE STATION,  
TIRUVANNAMALAI DISTRICT.

5 THE SUPERINTENDENT,  
CENTRAL PRISON, VELLORE.

6 THE MADRAS HIGH COURT ADVOCATE CLERKS  
WELFARE ASSOCIATION (S.B. A/C.NO.484077244;  
IFSC NO. IBID000M157)

CC to M/S.V.ELANGO Advocate on payment of necessary charges

CRL OP.10046/2021

Date :09/06/2021

TA-10/06/2021