



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.18766 of 2021

Baskaran

... Petitioner

Vs.

State by Inspector of Police,
Chetpet Police Station.
(Cr.No.840 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in connection with the case in Crime No.840 of 2021 pending investigation on the file of the respondent police.

For Petitioner : M/s.S.Kanimozhi

For Respondent : Mr.A.Gopinath
Government Advocate (Cr1. Side)

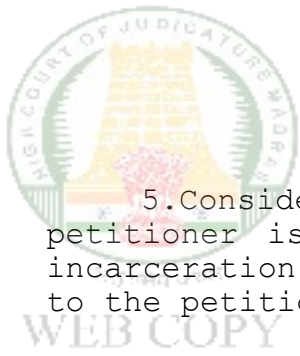
ORDER

The petitioner who was remanded to judicial custody on 25.09.2021 for the offence under Section 399 of I.P.C. in Crime No.840 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner along with the other accused is alleged to have been preparing to commit dacoity.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Cr1. Side) submitted that there is one previous case for the offence under Section 506(ii) of I.P.C. as against the petitioner.



5. Considering the fact that the previous case pending against the petitioner is not of similar nature and considering the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Polur 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 petitioner shall report before the respondent police, daily 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 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 petitioner 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
07/10/2021

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,
POLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
CHETPET POLICE STATION,

4 THE SUPERINTENDENT,
CENTRAL JAIL, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. S.KANIMOZHI Advocate on payment of necessary
charges SR.NO.11160

CRL OP.18766/2021

Date :07/10/2021

JPA 08/10/2021