



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2021

WEB COPY

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.21109of 2021

1.Praveensamy
2.Manikandan

.. Petitioners

Vs.

The State rep.by its
Inspector of Police,
Chetpet Police Station,
Thiruvannamalai District.
(Crime No.852 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to release the petitioners/2nd and 3rd accused on bail in Crime No.852 of 2021 on the file of the respondent police.

For Petitioners : Mr.A.Ilayaperumal

For Respondent : Mr.N.S.Sugunthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 02.10.2021 for the offences under Section 399 of IPC, in Crime No.852 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the respondent Police were in rounds near Nedukunam Malaikoil, a group of five members tried to escape from the place and the Police felt that the accused have made plan to commit a offence, the Police rounded up the place and arrested A1 to A3 and remaining two persons escaped from the spot. On enquiry, they stated that they are planned to commit dacoity and the respondent police recovered machete and knife from A1 to A3. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He



further submits that they have been suffering incarceration for more than 35 days from 02.10.2021. Hence he prays for grant of bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that there are no previous cases as against the petitioners.

5. Considering the period of incarceration suffered by the petitioners and there is no previous cases pending against the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their 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, 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders ;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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 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]*; and;

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

-sd/-

10/11/2021

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.

WEB COPY

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CHETPET POLICE STATION,
THIRUVANNAMALAI DISTRICT .

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S A.ILAYAPERUMAL Advocate on payment of necessary
charges SR.NO.12580

CRL OP.21109/2021

Date :10/11/2021

CSK 11/11/2021