



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2021

CORAM:

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

Cr1.O.P.No.21101 of 2021

Parthiban

.. Petitioner

Vs.

The State Rep.by
The Inspector of Police,
Thiruvannamalai East Police Station,
Thiruvannamalai District.
CRIME.NO.707 of 2021

..Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to release the petitioners on bail in Crime No.707 of 2021 pending investigation on the file of the respondent.

For Petitioner : Mr.S.Silambu Selvan

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

ORDER

(The case has been heard through video conference)

The petitioner who is arrested and remanded to judicial custody on 24.09.2021 for the offences under Section 399 of IPC, in Crime No.707 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the when the respondent police was on regular patrolling, the petitioner along with the other accused persons, prepared to commit offence with deadly weapons and iron rod was recovered from their hands. Hence, the complaint.

3. The learned counsel for the petitioners submits that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner has been suffering incarceration for more than 45 days from 24.09.2021. Hence he prays for grant of bail to the petitioners.



4. The learned Government Advocate (Crl.Side) submits that investigation has been almost completed.

5. Considering the period of incarceration suffered by the petitioners and also considering the fact that investigation has been almost completed, this Court is inclined to grant bail to the petitioner with certain conditions.

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, each for a like sum to the satisfaction of the learned Judicial Magistrate-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 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 petitioner 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/-

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- II,
THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE,
THIRUVANNAMALAI DISTRICT (FOR INFORMATION).

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

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

+1 CC to M/S.S.SILAMBU SELVAN Advocate on payment of necessary
charges SR.NO.12568

CRL OP.21101/2021

Date :10/11/2021

INBA-12/11/2021