



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2021

CORAM:

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

Cr1.O.P.No.21321 of 2021

Venkatesan

.. Petitioner

Vs.

The State rep by
The Inspector of Police
Brammadesam Police Station
Brammadesam
Tiruvannamalai District.
Crime No:256/2021

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to grant bail to the petitioner in Crime No. 256 of 2021 on the file of the respondent police.

For Petitioner : Mr.B.Jawahar

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

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 24.09.2021 under Sections 341, 294(b), 392, 307 and 506(ii) of IPC in Crime No.256 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.09.2021, the petitioner waylaid the de facto complainant and attacked him and also tried to rob money from the de facto complainant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case and he would submit that the petitioner has been suffering incarceration for more than 50 days from 24.09.2021. Hence he prays for grant of bail to the petitioner.



4. The learned Government Advocate raised objection stating that the petitioner waylaid the defacto complainant and attacked him and also tried to rob money from him.

5. Considering the period of incarceration undergone by the petitioner and the fact that the investigation is 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, Cheyyar, 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/-

12/11/2021

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,
CHEYYAR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
BRAMMADESAM POLICE STATION,
BRAMMADESAM, TIRUVANNAMALAI DISTRICT.

+1 CC to M/S B. JAWAHAR Advocate on payment of necessary charges
SR.NO.12730

CRL OP.21321/2021

Date :12/11/2021

RW 15/11/2021