



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM:

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

Cr1.O.P.No.22124 of 2021

1.Manikandan
2.Subash

...Petitioners

Vs.

State by,
The Inspector of Police,
Vanapuram Police Station,
Thiruvannamalai District.
Crime No. 448 of 2021

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail in the Crime No.448 of 2021 pending on file of the Inspector of Police, Vanapuram Police Station, Thiruvannamalai District.

For Petitioners : Mr.S.Silambu Selvan

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

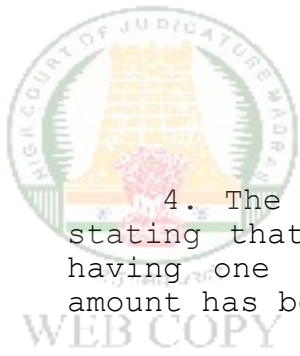
ORDER

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 24.09.2021 for the offences under Sections 294(b), 392 r/w 397, 506(ii) of IPC, in Crime No.448 of 2021, on the file of the respondent police seek bail.

2. The case of the prosecution is that on the date of occurrence, the petitioners robbed the defaco complainant. Hence, the complaint.

3. The learned Counsel for the petitioners submitted that the petitioners have been falsely implicated in this case and they are no way connected with the alleged offence. He would further submit that the petitioners have been suffering incarceration for more than 60 days from 24.09.2021. Hence, he seeks for grant of bail to the petitioners.



4. The learned Government Advocate (Crl. Side) raised objection stating that petitioners are arrayed as A1 & A2 and they both are having one previous case against them but admits that the stolen amount has been recovered and the investigation is almost completed.

5. Considering the facts and circumstances of the case and the fact that the stolen amount has been recovered and that the investigation is almost completed and also considering the period of incarceration undergone by 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, Thandrapattu and on further conditions 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 on every Monday and Wednesday 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/-

24/11/2021

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,
THANDRAMPATTU, THIRUVANNAMALAI DISTRICT.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

4 THE INSPECTOR OF POLICE,
VANAPURAM POLICE STATION,
THIRUVANNAMALAI DISTRICT

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S S. SILAMBU SELVAN Advocate on payment of necessary
charges

CRL OP.22124/2021

Date :24/11/2021

RW 25/11/2021