



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2021

CORAM:

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

Cr1.O.P.No.22000 of 2021

1.Chinnarasu @ Chinnaraj
2.Rajesh

... petitioners

Vs.

The State- Represented by
The Inspector of Police
Santhavasal Police Station,
Thiruvannamalai District.
Crime No.880/2021

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners/Accused 1 & 2 on bail pending investigation in Crime No.880 of 2021 on the file of Inspector of Police, Santhavasal Police Station, Thiruvannamalai District.

For petitioners : Mr.G.Saravanan

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 05.11.2021 for the offences under Section 399 IPC, in Crime No.880 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 05.11.2021 at about 9.30 a.m., when the Sub Inspector of Police along with his police party was on regular patrol duty, the petitioners along with other accused were preparing to commit dacoity. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case and that the petitioners has been suffering incarceration for more than 15 days from 05.11.2021. Hence, he would



pray for grant of bail to the petitioners.

4. The learned Government Advocate raised objection stating that the the petitioners are arrayed as A1 and A2 and they have got one previous case against them.

5. Considering the nature of allegation against the petitioners and the fact 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, Polur, Thiruvannamalai District, 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 every Wednesday and Saturday 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/-

22/11/2021

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.



1 THE JUDICIAL MAGISTRATE,
POLUR, TIRUVANNAMALAI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
SANTHAVASAL POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

+1 CC to M/S G.SARAVANAN Advocate on payment of necessary charges
SR.No.13210

CRL OP.22000/2021

Date :22/11/2021

APN 22/11/2021