



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2021

CORAM:

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

Crl.O.P.No.24706 of 2021

Abishek Ulaganadhan

...Petitioner

Vs.

State rep by
Inspector of Police
C-3, Seven Wells Police Station
Flower Bazaar
Chennai
(Crime No.1174 of 2021)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.1174 of 2021 on the file of the respondent police.

For Petitioner : Mr.L.Infant Dinesh

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 31.10.2021 for the offences under **Sections 394 and 397 of IPC**, in Crime No.1174 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused followed the de facto complainant and snatched his hand bag which was containing cash of Rs.80,000/- and also assaulted him and escaped from the place in a two wheeler. Hence the complaint.



3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that co-accused has been granted bail by the Sessions Court in CrI.M.P.No.20501 of 2021 dated 24.11.2021 and also produced the said order copy and would submit that there is no previous case against the petitioner and he has been suffering incarceration for more than 45 days from 31.10.2021. Hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (CrI. Side) would raise strong objection stating that the stolen amount has not been recovered.

5. Considering the fact that the co-accused has been released on bail by the Sessions Court and also considering the period of incarceration undergone by the petitioner, 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 VIII Metropolitan Magistrate, George Town, Chennai**, 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 petitioner shall report before the respondent police daily at 5 p.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.

WEB COPY

-sd/-
17/12/2021

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 VIII METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
C-3, SEVEN WELLS POLICE STATION
FLOWER BAZAAR, CHENNAI.

5 THE SUPERINTENDENT
CENTRAL PRISON, PUZHAL, CHENNAI

+1 CC to M/S.L.INFANT DINESH Advocate on payment of necessary charges SR.NO.15018

CRL OP.24706/2021

Date :17/12/2021

TA-20/12/2021