



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2022

CORAM:

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

Crl.O.P.No.242 of 2022

WEB COPY

Appunu @ Ravikumar

...Petitioner

Vs.

The State, rep by
The Inspector of Police,
T-11, Thirunindravur Police Station,
Chennai- 602 024.

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail pending investigation in Crime No.1235 of 2021 on the file of the T-11, Thirunindravur Police Station, Chennai.

For Petitioner : Mr.V.Jayachandran

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 27.11.2021 for the offences under Sections 341, 323, 397 and 506(ii) of Indian Penal Code, in Crime No.1235 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 27.11.2021 at about 10.00 a.m, the de facto complainant was proceeding in his auto and when he was reaching near Nadukuthagai Junction, the petitioner and others, at knife point robbed a sum of Rs.3,200/- from the de facto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he is no way connected with the alleged offence. He would further submit that A3 has been granted bail and A5 has been granted anticipatory bail and that the petitioner has been suffering incarceration for about 40 days from 27.11.2021. Hence, he would pray for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) would raise objection stating that there are totally six accused in this case and the petitioner is arrayed as A1 and that A4 is absconding but admits that the investigation is almost completed.

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5. Considering the above facts and circumstances of the case and the fact that A3 has been granted bail and A5 has been granted anticipatory bail and the investigation is almost completed and also considering the period of incarceration undergone by the petitioner, this court is inclined to grant bail to the petitioner with certain conditions.

(a) Accordingly, the Petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees ten thousand only), before the Superintendent of the concerned prison, in which the Petitioner has been confined and thereafter on his release;

(b) the petitioner shall execute two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, before the learned Judicial Magistrate No.II, Thiruvallur, within 15 days from the date of commencement of the Court's normal functioning, failing which the bail granted by this Court shall stand dismissed automatically;

(c) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(d) the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders.

(e) the petitioner shall not commit any offences of similar nature;

(f) the petitioner shall not abscond either during investigation or trial;

(g) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(h) on breach of any of the aforesaid conditions, the learned Judicial 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];



(i) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

07/01/2022

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,
NO.II, THIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
T-11, THIRUNINDRAVUR POLICE STATION,
CHENNAI-602 024.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI

CC to M/S.V.JAYACHANDRAN Advocate on payment of necessary
charges Sr.386

CRL OP.242/2022

Date :07/01/2022

RVR 10/01/2022