



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2022

CORAM:

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

Cr1.O.P.No.310 of 2022

M.Ajiz @ Abdul Ajiz

... Petitioner

Vs.

The State Rep.by  
The Inspector of Police,  
T - 6 Avadi Police Station,  
Avadi, Chennai - 71.  
Crime No.1260 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on Anticipatory bail in the event of his arrest by the respondent police in Crime No.1260 of 2021 on the file of the respondent police.

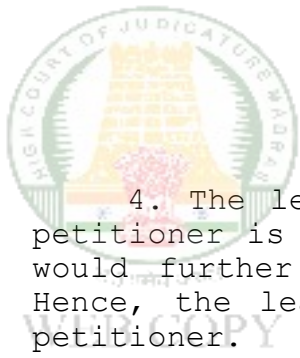
For Petitioner : Mr.X.Selvam Sounder

For Respondent : Mr.N.S.Suganthan,  
Government Advocate (Cr1.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 341, 294(b), 323, 324, 387 and 506(II) of IPC in Crime No.1260 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused way laid the de-facto complainant and taken away a sum of Rs.10,000/- and gold jewellery from him at knife point. Hence, the complaint.



4. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted on him. He would further submit that the robbed property has been recovered. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl.side) would submit that the petitioner along with other accused waylaid the de-facto complainant and snatched away a sum of Rs.10,000/- and gold jewellery from him at knife point. He would further submit that the other accused were released on bail.

6. Considering the fact and circumstances of the case and also the submissions made by both counsel and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Crime No. 1260 of 2021 and on such deposit, 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-II, Poonamallee, 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 on every Wednesday at 10.30 a.m. until further orders.

(c) the defacto complainant is permitted to withdraw the said deposit amount of Rs.10,000/- (Rupees Ten Thousand Only) on proper identification and acknowledgment;

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

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

(f) 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;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A 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, POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
T-6, AVADI POLICE STATION,  
AVADI, CHENNAI.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S. X.SELVAM SOUNDER Advocate on payment of necessary charges SR.NO.363

CRL OP.310/2022

Date :07/01/2022

JPA 12/01/2022