



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2022

CORAM:

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

Crl.O.P.No.4002 of 2022

A.Deva

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Vishnu Kanchi Police Station,
Kancheepuram.
(Crime No.1814 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.1814 of 2021, pending on the file of the respondent police.

For Petitioner : Mr.M.Guruprasad

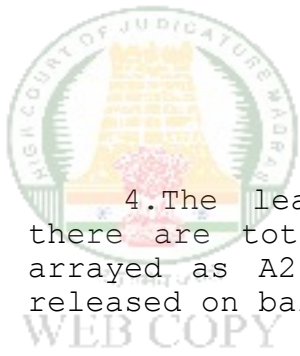
For Respondent : Mr.L.Baskaran
Government Advocate (Crl.side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 16.12.2021 for the offences under Sections 294(b), 324, 427, 392, 397, 307 and 506(ii) of IPC, in Crime No.1814 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that the defacto complainant is running a Tiffin shop. On 16.12.2021, the petitioner along with other accused went to the defacto complainant's shop and demanded mamool and when the same was refused, they damaged the articles in the shop worth about Rs.1,800/- and assaulted the defacto complainant and robbed a sum of Rs.1,800/- from him. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and that the petitioner has been suffering incarceration for more than 70 days from 16.12.2021. Hence, he would pray for grant of bail to the petitioner.



4.The learned Additional Public Prosecutor would submit that there are totally two accused in this case and the petitioner is arrayed as A2 and the petitioner/A1 was already been arrested and released on bail.

5. Considering the above facts and circumstances of the case and also considering that the investigation was almost completed with regard to this petitioner and the petitioner/A1 was already been arrested and released on bail, this Court is inclined to grant bail to the petitioner with conditions.

[a] the petitioner is ordered to be released on bail on 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 No.I, Kancheepuram;

[b] 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;

[c] the petitioner shall appear before the respondent police daily at 10.30 a.m for a period of three months and thereafter as and when required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial, shall not have any communication with victim;

[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/-
03/03/2022

WEB COPY

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.I, KANCHEEPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION].

3 THE INSPECTOR OF POLICE
VISHNU KANCHI POLICE STATION
KANCHEEPURAM.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.GURUPRASAD Advocate on payment of necessary charges SR.NO.3294

CRL OP.4002/2022

Date :03/03/2022

JPA 03/03/2022