



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.5551 of 2022

Iman @ Aravind

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
F-1, Chintadripet Police Station,
Chennai.
(Crime No.26 of 2022)

.. 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.26 of 2022 on the file of the respondent police.

For Petitioner : Mr.K.Jayaraman
For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested for the offences punishable under Sections 294(b), 307, 506(ii) of IPC in Crime No.26 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein was arrested for the above said offences based on the complaint given by Abdul Razack alleging that the petitioner herein came to his Briyani Shop at 10.00 a.m. ordered briyani and after consuming it, he did not pay money. When he demanded money for briyani, the petitioner used filthy language and wielded knife and attempted to attack the defacto complainant on the shoulder. But the defacto complainant escaped from the attack and raised the alarm.

3.Learned counsel for the petitioner submits that he is innocent and no such occurrence took place and it is a foisted case whereas the learned Additional Public Prosecutor submitted that the petitioner is a history sheeter having six previous cases of similar nature. However, as far as this case is concerned, on perusing the F.I.R., it is clear that no injury was



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caused to the defacto complainant. Hence, bail is granted to the petitioner and he is ordered to be released on bail subject to the following conditions;

(a) The petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned XIV Metropolitan Magistrate, Egmore, Chennai.

(b) 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;

(c) **the petitioner is directed to appear before the Investigating Officer daily at 10.30 a.m. until further orders.**

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

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



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Dr.G.JAYACHANDRAN, J.
vri/jai

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

10.03.2022

vri/jai

To

- 1.The XIV Metropolitan Magistrate,
Egmore, Chennai.
- 2.The Inspector of Police,
F-1, Chintadripet Police Station,
Chennai.
- 3.The Jailer,
Sub Jial, Chengalpet.
- 4.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.5551 of 2022