



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.5642 of 2022

M.UmarBasha @ Rajesh

.. Petitioner

Vs.

State rep. by  
The Inspector of Police,  
Kundrathur Police Station,  
Kanchipuram District.  
(Crime No.117 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner/accused on bail pending investigation in Crime No.117 of 2022 on the file of respondent police.

For Petitioner : Mr.S.Yavavarun

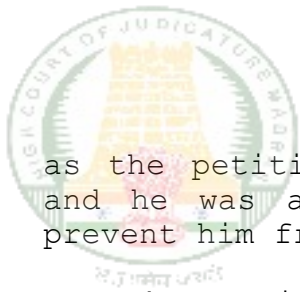
For Respondent : M/s.G.V.Kasthuri  
Additional Public Prosecutor  
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ORDER

The petitioner, who was arrested on 13.02.2022 for the offences punishable under Sections 341, 392, 294(b), 336, 397, 506 (ii) of IPC in Crime No.117 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein was arrested on 13.02.2022 in connection with a complaint given by one Salavutheen informing that the petitioner herein waylaid him at knife point and robbed Rs.2,500/- from his pocket. A case was registered under sections 341, 392, 294(b), 336, 397 and 506(ii) I.P.C.

3. Learned Additional Public Prosecutor appearing for the respondent states that the petitioner is having two previous cases, one for the offence under section 302 I.P.C. and another for the offence under section 307I.P.C. However, the learned counsel for the petitioner states that those cases are of the year 2011. As far



as the petitioner herein is concerned, there is no bad antecedent and he was arrested only in view of the local body election to prevent him from canvassing.

4. Considering the period of arrest and recovery of Rs.1,300/- from the petitioner, this Court grants bail to the petitioner herein 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 Judicial Magistrate, Sriperumpudur.

(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 report 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 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];

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

-sd/-

21/03/2022

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,  
SRIPERUMPUDUR.



2 THE CHIEF JUDICIAL MAGISTRATE  
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
KUNDRATHUR POLICE STATION,  
KANCHIPURAM DISTRICT.

4 THE SUPERINTENDENT  
CENTRAL JAIL, PUZHAL, CHENNAI.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S.S.YAVAVARUN Advocate on payment of necessary  
charges SR.No.4215

CRL OP.5642/2022

Date :21/03/2022

CSK 22/03/2022