



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.6492 of 2022

R.Saravana Kumar

... Petitioner

Vs.

State rep. by  
The Deputy Superintendent of Police,  
CBCID Metro Wing, Egmore,  
Chennai  
(Crime No.4 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail connected in Crime No.4 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.C.Paul Kanagaraj

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

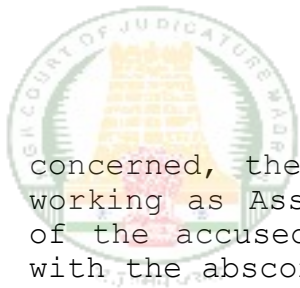
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ORDER

The petitioner, who was arrested on 26.02.2022 for the offences punishable under Sections 147, 323, 347, 384, 420 of IPC and Section 4 of TNPHW Act @ 353, 216 of IPC in Crime No.4 of 2021, on the file of the respondent police, seeks bail.

2. The petitioner herein is arrayed as A14 in a case registered by CBCID Metro Wing in Crime No.4 of 2021 for the 147, 323, 347, 384, 420 of IPC altered to Sections 147, 323, 347, 384, 420 of IPC read with Section 4 of TNPHW Act @ 353 and 216 I.P.C.

3.The case of the prosecution is that some of the accused, who are still absconding, had wrongfully confined the defacto complainant and forced him to execute the deed regarding his property to one Tharun Krishnaprasad and Srinivasarao. As far as this petitioner is



concerned, the overtact attributed to this petitioner is that he was working as Assistant in physiotherapist clinic and had harbored some of the accused persons in the clinic and had frequent communication with the absconding accused.

3. Considering the overtact against this petitioner and particularly, the objection made by the respondent police stating that A5 Sivakumar is still absconding and that if this petitioner is let out on bail, it will delay the process of securing A5, it appears to be not relevant in this case, since to secure A5, Sivakumar, the Assistant Commissioner of Police, the detention of this petitioner is not necessary. 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned CCB & CBCID 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];



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

-sd/-  
22/03/2022

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 CCB & CBCID METROPOLITAN  
MAGISTRATE, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,  
EGMORE, CHENNAI [FOR INFORMATION]

3 THE DEPUTY SUPERINTENDENT OF POLICE,  
CBCID METRO WING, EGMORE, CHENNAI.

4 THE SUPERINTENDENT,  
CENTRAL PRISON, PUZHAL, CHENNAI.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.R.C.PAUL KANAGARAJ Advocate on payment of necessary charges SR.NO.4241

CRL OP.6492/2022

Date :22/03/2022

JPA 22/03/2022