



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2022

CORAM:

THE HON'BLE MR.JUSTICE Dr.G.JAYACHANDRAN

Cr1.O.P.No.6473 of 2022

Sharan @ Sharankumar

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
Redhills Police Station,
Thiruvallur District.
(Crime No.138 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.138 of 2022 on the file of the respondent police, Redhills Police Station, Thiruvallur District.

For Petitioner : Mr.T.R.Ravi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.02.2022 for the offences punishable under Sections 341, 363 of IPC altered into 341, 364(A), 506(i) of IPC in Crime No.138 of 2022, on the file of the respondent police, seeks bail.

2. This petitioner herein arrayed as third accused in the case of kidnapping of one Rahul in an Auto. According to the First Information Report, when the defacto complainant Prasanth and his friend Rahul were returning from school, three persons came in auto and tried to kidnap them. While the defacto complainant Prasanth escaped from the clutches of them, wherein Rahul was forcibly taken away. The 164 Cr.P.C., statement of Rahul also almost indicates the same.



3. The learned Additional Public Prosecutor appearing for the respondent Police says that due to love affair between Rahul and Sandiya, the petitioner and others kidnapped Rahul and attacked him.

4. The petitioner was arrested on 11.02.2022. Considering the First Information Report and 164 of Cr.P.C., statement of the victim boy, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the petitioner 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 No.2, Ponneri.

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

(f) 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];



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

WEB COPY

-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,
NO.2, PONNERI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
REDHILLS POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.T.R.RAVI Advocate on payment of necessary charges
SR.NO.4231

CRL OP.6473/2022

Date :21/03/2022

JPA 22/03/2022