



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8057 of 2022

1.Siva @ Sivaraj
2.Vimal @ Vimalraj

... Petitioners

Vs.

The State rep. by
The Inspector of Police,
Chidambaram Town Police Station,
Cuddalore District.
(Crime No.208 of 2022)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail concerned in Crime No.208 of 2022 on the file of the Inspector of Police, Chidambaram Town Police Station, Cuddalore District.

For Petitioners : Mr.C.Prabakaran

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioners, who were arrested on 03.02.2022 for the alleged offences under Sections 341, 294(b), 392, 397 and 506(ii) of IPC in Crime No.208 of 2022, on the file of the respondent police, seek bail.

2. The petitioners are in prison from 03.02.2022 for the abovesaid alleged offences. These petitioners sought for bail on earlier occasion, this Court dismissed the bail petition on the ground that these two petitioners have several criminal cases of similar in nature and if they are released on bail before completion of the investigation, there is chance of abscondance and tampering of



evidence. Nearly 65 days was lapsed from the date of arrest. The prosecution has not yet filed the final report, though the investigation is completed and the property robbed has already been recovered.

3. In the light of the above fact, these petitioners are granted bail. Hence, the petitioners are ordered to be released on bail subject to the following conditions;

(a) Each of the petitioners 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 Judicial Magistrate-II, Chidambaram;

(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 petitioners are directed to report before the Investigating Officer daily at 10.30 a.m. until further orders;

(d) the petitioners 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/-
06/04/2022

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.II, CHIDAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
CHIDAMBARAM TOWN POLICE STATION,
CUDDALORE.

4 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. C.PRABAKARAN Advocate on payment of necessary
charges SR.NO.5271

CRL OP.8057/2022

Date :06/04/2022

JPA 07/04/2022