



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.8310 of 2022

Mohammed Sadham @ Mohammed Yasin

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Kandhikuppam Police Station,

(*)Krishnagiri District.

(Crime No.359 of 2021)

.. 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.359 of 2021 on the file of the respondent police.

For Petitioner : Mr.R.Sasikumar

For Respondent : Mrs.G.V.Kasthuri,
Additional Public Prosecutor
[CrI.O.P.NO.8310/2022]

MR.S.SANTHOSH,
Govt. Advocate (CrI. Side)
[CrI.M.P.NO.5912/2022]

ORDER

The petitioner, who was arrested on 13.12.2021 for the alleged offences under Sections 394 and 397 of IPC in Crime No.359 of 2021, on the file of the respondent police, seeks bail.

2. The petitioner was arrested on 13.12.2021 for the alleged offence snatching of 4 1/2 sovereign of chain from the wife of the defacto complainant and due to which, one of the pillion rider, who was travelling along with the defacto complainant fell down and sustained injury.



3. Learned Additional Public Prosecutor appearing for the respondent states that the stolen article was recovered, the investigation is completed and the final report is also filed and taken on file in P.R.C.No.8 of 2022 and ripe for committal. However, she opposed for granting bail to the petitioner on the ground that he is having three previous cases of similar nature.

4. Taking note of the fact that the investigation is completed and the stolen article is recovered, this court is inclined to grant bail to the petitioner. 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-I, Krishnagiri;

(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 learned Judicial Magistrate No.I, Krishnagiri, on every Monday 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/-

11/04/2022

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.



**(*) AMENDED AS PER ORDER OF THIS COURT DATED 29/04/2022 MADE IN
CRL.MP.No.5912 OF 2022 IN CRL.O.P.NO.8310 OF 2022**

TO
WEB COPY

1 THE JUDICIAL MAGISTRATE,
NO.I, KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

**(*) 4 THE INSPECTOR OF POLICE,
KANDHIKUPPAM POLICE STATION,
KRISHNAGIRI DISTRICT.**

5 THE INSPECTOR OF POLICE,
KANDHIKUPPAM POLICE STATION,
THIRUVALLUR DISTRICT.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.SASIKUMAR Advocate on payment of necessary charges
SR.NO.6711

CRL OP.8310/2022

Date :11/04/2022

JPA 11/04/2022

JPA 05/05/2022