



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.8579 of 2022

Arunpandiyan

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District.
(Crime No.139 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.139 of 2022, on the file of the respondent police.

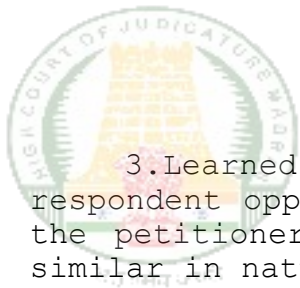
For Petitioner : Mr.R.Balakrishnan

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

ORDER

The petitioner, who was arrested on 03.04.2022 for the offences punishable under Section 399 of IPC in Crime No.139 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner, who is one among the six accused, is alleged to have involved in an offence under Section 399 I.P.C. During their routine patrolling, the respondent police have found six persons in a suspicious manner, who were standing under the tree with weapons like knife, iron rod and wooden log. When they were enquired, they gave contradictory statement and later, found that they were planning to commit dacoity.



3.Learned Additional Public Prosecutor appearing for the respondent opposed granting bail to the petitioner on the ground that the petitioner is having two previous cases, however, they are not similar in nature.

4.Considering the fact that the petitioner was arrested on 03.04.2022 and he is in prison from the date of arrest and the substantially part of the investigation is completed, this Court is inclined to grant bail to this 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 No.I, Tiruvannamalai;

(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 Cheyyar Town Police daily at 10.30 a.m. from the next day of his release for a period of 30 days.

(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/-

19/04/2022

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.I, TIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
TIRUVANNAMALAI TOWN POLICE STATION,
TIRUVANNAMALAI DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
/STATION HOUSE OFFICER,
CHEYYAR TOWN POLICE, CHEYYAR.

+1 CC to M/S R.BALAKRISHNAN Advocate on payment of necessary
charges SR.NO.5753

CRL OP.8579/2022

Date :19/04/2022

JPA 19/04/2022