



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.8999 of 2022

Kalimuthu

... Petitioner

Vs.

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

For Petitioner : Mr.P.Jayachandran

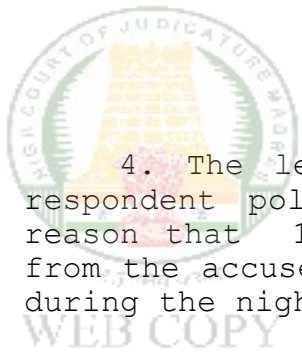
For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

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 was arrested on 03.04.2022 for the alleged offence of planning robbery with deadly weapon.

3. The learned counsel for the petitioner submits that the petitioner is nothing to do with the other accused, and he is Barber by profession. The respondent police has wrongly impleaded the petitioner as one of the accused.



4. The learned Additional Public Prosecutor appearing for the respondent police opposed grating bail to the petitioner for the reason that 1 knife, 2 iron rods and 9 wooden logs were recovered from the accused persons, who were jointly planning to commit robbery during the night time.

5. Taking note of the above fact, the petitioner is in prison for the past 17 days and their plan to commit the robbery had been stopped by timely intervention of the respondent police and the petitioner has no bad antecedence, 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 Court, 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 stay at Arcot and report before Arcot town police station daily at 10.30. a.m, for the 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/-

20/04/2022

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,

4 THE SUPERINTENDENT,
VELLORE PRISION, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
/THE STATION HOUSE OFFICER,
ARCOT TOWN POLICE STATION,
ARCOT

+1 CC to M/S. P.JAYACHANDRAN Advocate on payment of necessary
charges SR.NO.5837

CRL OP.8999/2022

Date :20/04/2022

JPA 21/04/2022