



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.9524 of 2022

Easwaran

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Namagiripettai Police Station,
Namakkal District.
(Crime No.51 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 connection with a case in Crime No.51 of 2022 on the file of the respondent police.

For Petitioner : Mr.P.Dasarathan

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

ORDER

The petitioner, who was arrested for the offences punishable under Section 379 of IPC in Crime No.51 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested in 16.03.2022 for the alleged offence under Section 379 of IPC. According to the prosecution on 20.02.2022 at about 8.a.m., under the pretext of seeking job, the petitioner and two others stolen away the two wheeler of the defacto complainant and the same was later recovered from this petitioner.

3. The learned Additional Public Prosecutor appearing for the respondent police states that the investigation is not yet completed and as far as this petitioner is concerned, there are three previous cases against him. However the learned counsel for the petitioner would state that those cases are of similar in nature and they were registered in the year 2012 and 2018 and not of recent occurrence.



4. Considering the said submission, 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;

WEB COPY

(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, Rasipuram;

(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) 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/-

26/04/2022

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,
RASIPURAM



2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
NAMAGIRIPETTAI POLICE STATION,
NAMAKKAL DISTRICT

4 THE OFFICER INCHARGE
RASIPURAM PRISON, RASIPURAM

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.P.DASARATHAN Advocate on payment of necessary
charges SR.NO.6272

CRL OP.9524/2022

Date :26/04/2022

JPA 27/04/2022