



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2022

CORAM:

THE HON'BLE Mr. JUSTICE A.A.NAKKIRAN

Crl.O.P.No.10917 of 2022

Dhinakaran

... Petitioner

Vs.

State Rep. by The Inspector of Police,
Bargur Police Station,
Krishnagiri District.

... 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.60 of 2022 pending on the file of the respondent police.

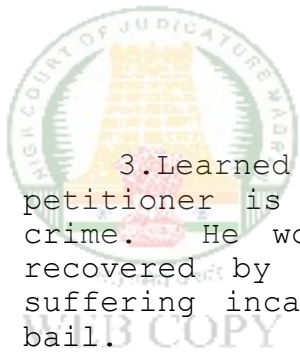
For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)
O/o Public Prosecutor

ORDER

The petitioner, who was arrested on 07.03.2022 for the alleged offence punishable under Sections 392, 398 IPC, in Crime No.60 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the defacto complainant and his wife were returning from Kerala to Gudiyatham on 06.03.2022 at 7.00 a.m. in their two wheeler bearing Regn.No.TN-24-L-3577 towards Krishnagiri to Chennai National Highways, they had to stop their vehicle due to rain, at that juncture, the petitioner along with other accused, keeping bore valve on the neck of the defacto complainant, had robbed a sum of Rs.500/- from his pocket. When the defacto complainant raised alarm, the people around them came for their rescue, the accused escaped from the scene of occurrence. Hence the complaint.



3.Learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this crime. He would further submit that the stolen amount has been recovered by the respondent police and the petitioner has been suffering incarceration from 07.03.2022. Hence prays for grant of bail.

4.Learned Government Advocate (Crl. Side) would submit that there are two accused involved in this case. The petitioner herein is A1, the petitioner along with other accused had robbed a sum of Rs.500/- at knife point from the defacto complainant. He would further submit that the theft money has been recovered from the accused. He would also further submit that investigation in this case has been completed and charge sheet has also been filed before the learned Judicial Magistrate No.1, Krishnagiri and taken on file. He would further submit that there is no previous case pending against the petitioner.

5.Considering the fact that the robbed amount has been recovered from the petitioner and also considering the fact that there is no previous case and the investigation has also been completed, this Court is inclined to grant bail to the petitioner.

6.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.1, 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.1, Krishnagiri on each and every date of hearing;

(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.

WEB COPY

-sd/-
11/05/2022

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, KRISHNAGIRI

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
BARGUR POLICE STATION,
KRISHNAGIRI DISTRICT

4 THE OFFICER INCHARGE
SUB JAIL, KRISHNAGIRI DISTRICT

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S E.KANNADASAN Advocate on payment of necessary charges SR.NO.6983

CRL OP.10917/2022

Date :11/05/2022

JPA 11/05/2022