



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.OP.No.11176 of 2022

Kuberan

..Petitioner

Vs.

State represented by
Inspector of Police,
Valangaiman Police Station,
Thiruvarur District
Crime No.279 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.279 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Subramanian

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.04.2022 for the offences punishable under Sections 294(b), 323, 427, 336, 397 and 506(2) of IPC in crime No.279 of 2022 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that the petitioner came to the bakery run by the defacto complainant and demanded 'mamool', which was refused by him. Thereafter, the petitioner slapped him and grabbed Rs.500/- from the defacto complainant and threatened with dire consequences. Hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he seeks for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner demanded money from the defacto complainant. Since he refused to give, the petitioner grabbed Rs.500/- from him. He would



further submit that the petitioner has seven previous cases and he is a history sheeter. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate at Valangaiman, Thiruvavur District and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall stay at Krishnagiri and report before the Inspector of Police, Krishnagiri Town Police Station, Krishnagiri daily at 10.30 a.m. and 05.30 p.m. until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[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 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/-

07/06/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE AT VALANGAIMAN,
THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
VALANGAIMAN POLICE STATION,
THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
SUB JAIL, NAGAPATTINAM

6 THE INSPECTOR OF POLICE,
KRISHNAGIRI TOWN POLICE STATION,
KRISHNAGIRI

CC to M/S. R.SUBRAMANIAN Advocate on payment of necessary
charges

CRL OP.11176/2022

Date :07/06/2022

RVR 09/06/2022