



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.06.2022

CORAM:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Cr1.O.P.No.11722 of 2022

Dhanush

.. Petitioner

/versus/

The State rep.by Inspector of Police,
B3 Kanchi Taluk Police Station,
Kancheepuram District.
Crime No.238 of 2021.

.. Respondent

Criminal Original Petition has been filed under Section 439 of Cr.P.C., praying to enlarge the petitioner on bail in connection with the case in Crime No.238 of 2021 on the file of the respondent.

For Petitioner :Mr.D.R.Arun Kumar

For Respondent :Mr.S.Udaya Kumar,
Govt. Advocate(Crl.Side)

ORDER

The petitioner/accused, who was arrested and remanded into judicial custody on 10.01.2022 by the respondent police in connection with the case registered under Sections 380 and 457 of IPC in Crime No.238 of 2021, seeks bail.

2.The petitioner is an habitual offender of robbery and house breaking. When the petitioner moved bail earlier, this Court has dismissed the bail petition regarding antecedents of the petitioner and directed the trial Court to give priority to the cases and complete the trial as early as possible. Though two months have lapsed, the learned counsel appearing for the petitioner states that there is no progress in the trial and hence, he has moved bail petition before this Court seeking bail and states that the petitioner will abide by any condition imposed by this Court while granting bail.



3.Taking note of the fact that for the past six months the petitioner is in prison and though the bail is opposed by the learned Government Advocate (Crl.Side) that ten similar cases are pending against this petitioner, to afford opportunity to the petitioner to defend himself, this Court is inclined to grant bail to the petitioner on the following conditions:-

4.Accordingly, the petitioner is ordered to be relased 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.II, Kancheepuram;

(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 shall stay at Kancheepuram and report before the Kancheepuram Town Police Station 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 v. State of Kerala [(2005) AIR SCW 5560];

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
08/06/2022

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 JUDICIAL MAGISTRATE,
NO.II, KANCHEEPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI.

4 THE INSPECTOR OF POLICE
B3 KANCHI TALUK POLICE STATION,
KANCHEEPURAM DISTRICT.

5 THE OFFICER INCHARGE,
KANCHEEPURAM TOWN POLICE STATION,
KANCHEEPURAM.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.D.R.ARUN KUMAR Advocate on payment of necessary
charges SR.NO. 8669

CRL OP.11722/2022

Date :08/06/2022

RW-09/06/2022