



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11309 of 2022

S.BALAJI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
POLLACHI TOWN EAST POLICE STATION,
POLLACHI, COIMBAOTRE.
CR.NO. 247/2022.

[RESPONDENT]

For Petitioner : M/S. C.VEERA RAGHAVAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 15.04.2022 for the alleged offence under Sections 294(b), 387 and 506(ii) of IPC, thereafter, altered into Section 294(b), 397 read with 392 and 506(ii) of IPC in Crime No.247 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner has previous enmity with the defacto complainant. Hence, on 15.04.2022, he said to have called other two accused persons and they had threatened the defacto complainant with aruval and had snatched a sum of Rs. 2,700/- from the defacto complainant. There are totally three accused persons in this case and the petitioner has been arrayed as A1.

3. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and the petitioner has nothing to do with the alleged offence.

4. The learned Government Advocate (Crl. Side) submitted that all the three accused persons were arrested and the amount has also been recovered. The learned Government Advocate further submitted that there is no previous case pending against the petitioner.



5. Taking into consideration the facts and circumstances of the case and also the fact that the amount has been recovered and the petitioner has already suffered incarceration for more than 30 days and there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate I, Pollachi, 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 report before the respondent police on every Monday at 6.30 p.m. for a period of four weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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/-
18/05/2022

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 I,
POLLACHI.

2 THE CHIEF JUDICIAL MAGISTRATE,
COIMBATORE DISTRICT.

3 THE OFFICER INCHARGE,
SUB JAIL, POLLACHI

4 THE INSPECTOR OF POLICE,
POLLACHI TOWN EAST POLICE STATION,
POLLACHI,
COIMBATORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS-104.

+1 CC to M/S. C.VEERA RAGHAVAN Advocate on payment of necessary
charges Sr.7230

CRL OP.11309/2022

Date :18/05/2022

srg 18/05/2022