



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.11348 of 2022

S.PRASANTH

[PETITIONER / ACCUSED]

Vs

STATE OF TAMIL NADU
INSPECTOR OF POLICE,
C3, SAIBABA COLONY POLICE STATION,
COIMBATORE CITY.
CRIME NO. 181 OF2022.

[RESPONDENT]

For Petitioner : M/S. DEEPANUDAY Advocate

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

PETITION FOR BAIL 439 Cr.P.C.

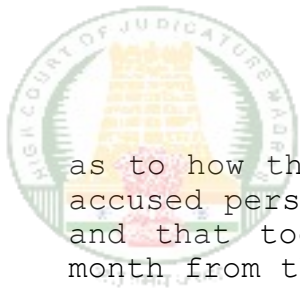
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody through PT warrant on 20.04.2022 for the alleged offence under Sections 377, 397 and 506(ii) IPC in Crime No.181 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant was threatened and a sum of Rs.2,500/- and a mobile phone were snatched away from him by the petitioner at knife point. There are totally three accused persons in this case and the petitioner has been arrayed as A1.

3. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

4. In the present case, the alleged incident is said to have been taken place on 09.03.2022 and whereas, the complaint itself has been lodged on 04.04.2022. That apart, there is no reason in the complaint



as to how the defacto complainant came to know about the names of the accused persons who were not known to the defacto complainant, before and that too, when the complaint has been lodged after nearly one month from the date of the incident.

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5. In view of the same, this Court is inclined to enlarge the petitioner on bail 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 VII, Coimbatore, 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 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.



1 THE JUDICIAL MAGISTRATE,
NO.VII, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

4 THE INSPECTOR OF POLICE,
C3, SAIBABA COLONY POLICE STATION,
COIMBATORE CITY.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. DEEPANUDAY Advocate on payment of necessary charges
SR.NO. 7286

CRL OP.11348/2022

Date :18/05/2022

RW 19/05/2022