



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.11320 of 2022

IN

S.C.NO.115 OF 2022

(ON THE FILE OF THE XX ADDITIONAL CITY CIVIL COURT AT CHENNAI)

MURUGAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NUNGAMPAKKAM POLICE STATION,
CHENNAI.
CR.NO.795 OF 2021.

[RESPONDENT]

For Petitioner : M/S. J.FRANKLIN Advocate

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

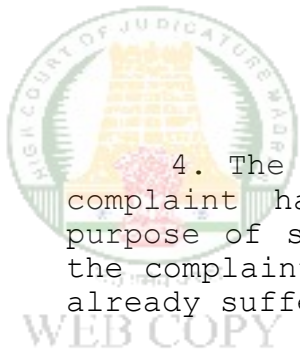
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 13.12.2021 for the alleged offences under Sections 341, 294(b), 323, 336, 427, 387, 307 and 506(ii) IPC in Crime No.795 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner went to the wine shop and demanded for a liquor bottle without paying any money. When this was questioned, the de facto complainant was attacked and a sum of Rs.1,500/- was snatched from the de facto complainant at knife point.

3. The learned Government Advocate submitted that the petitioner is a habitual offender and he is a history sheeter and there are several previous cases against the petitioner. The learned Government Advocate further submitted that the investigation was completed and the case is now pending in S.C. No.115 of 2022 before the XX Additional City Civil Court, Chennai.



4. The learned counsel for the petitioner submitted that a false complaint has been foisted against the petitioner only for the purpose of statistics and no such incident took place as alleged in the complaint. The learned counsel submitted that the petitioner has already suffered incarceration for nearly 150 days.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner has already suffered incarceration for nearly 150 days and final report has already been filed and is pending before the concerned Court, this Court is inclined to grant bail to the petitioner subject to stringent conditions.

6. 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 sureties, for a like sum to the satisfaction of the XX Additional City Civil Court, Chennai, 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 XX Additional City Civil Court, Chennai on every Monday at 10.30 a.m until further orders.

[c] the petitioner shall appear before the XX Additional City Civil Court, Chennai during every date of hearing in S.C. No.115 of 2022.

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

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

[f] 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].

[g] 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



TO

1 THE XX ADDITIONAL CITY CIVIL COURT,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NUNGAMPAKKAM POLICE STATION,
CHENNAI.

+1 CC to M/S. J.FRANKLIN Advocate on payment of necessary charges
SR.NO. 7654

CRL OP.11320/2022

Date :18/05/2022

srg 20/05/2022