



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Sixth day of June Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.12265 of 2022

ROBERT @ CHINA ROBERT

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
K4 ANNA NAGAR POLICE STATION,
CHENNAI. CRIME NO.771 OF 2021

[RESPONDENT]

For Petitioner : M/S. S.SENTHILVEL Advocate

For Respondent : M/S. A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

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 02.02.2022 for the offences punishable under Sections 294(b), 384, 506(ii) of IPC in crime No.771 of 2021 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 26.12.2021, the petitioner along with other accused robbed Rs.500/- from the defacto complainant's shop and also attacked him with knife. 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. He would further submit that the co-accused/A2, who was arrested, was already released on bail. Hence, he seeks for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner along with another robbed Rs.500/- from the defacto complainant's shop and also attacked him. He would further submit that the petitioner has twelve previous cases similar in nature. He would further submit that charge sheet has been filed and the same has been taken cognizance in CC.No.2768 of 2022 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai. Hence, he vehemently opposed to grant bail to the petitioner.



5. Considering the above facts and circumstances of the case and also considering that the co-accused, who was arrested, was already released on bail, 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 V Metropolitan Magistrate at Egmore Court 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 trial court viz., V Metropolitan Magistrate Court at Egmore 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/-

06/06/2022

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 V METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI



2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
K4 ANNA NAGAR POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON JAIL-PUZHAL,
CHENNAI

CC to M/S. S.SENTHILVEL Advocate on payment of necessary
charges Sr.8475

CRL OP.12265/2022

Date :06/06/2022

RVR 06/06/2022