



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.11510 of 2022

1 GOGULRAJ
2 LAWRENCE

[PETITIONERS / ACCUSED]

Vs

THE STATION HOUSE OFFICER
ANNAMALAI NAGAR POLICE STATION,
ANNAMALAI NAGAR,
CUDDALORE DISTRICT
CRIME NO.505/2021

[RESPONDENT]

For Petitioner : M/S.K.G.SENTHILKUMAR 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 petitioners, who were arrested and remanded to judicial custody on 02.03.2022 for the alleged offence under Sections 392 and 397 of I.P.C in Crime No.505 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant was waylaid by the accused persons and he was threatened and attacked with screw driver and a sum of Rs.2,500/- was snatched away from the defacto complainant. There are totally three accused persons in this case and the petitioners have been arrayed as A1 and A2.

3. The learned Government Advocate (Criminal Side) submitted that the complaint was given on 06.12.2021 and in the course of investigation, the petitioners were identified by the defacto



complainant and hence, they were arrested and remanded to judicial custody. The learned counsel further submitted that A3 is absconding and there are also two previous cases against A1.

4. The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case and they have nothing to do with the alleged offence. The learned counsel further submitted that the petitioners have already suffered incarceration for nearly 77 days.

5. This Court has carefully considered the submission made on either side and the materials available on record.

6. In the present case, the incident had taken place in the year 2021 and the petitioners were identified and apprehended during March 2022. Considering the age of the petitioners and also of the fact that the petitioners have already suffered incarceration for nearly 77 days, this Court is inclined to enlarge the petitioners on bail by subjecting them to stringent conditions.

7. In view of the above discussion, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Chidambaram 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 petitioners shall report before the respondent police twice a week, on Monday and Friday at 06.30 p.m. until further orders.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

WEB COPY

-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,
NO.I, CHIDAMBARAM, CUDDALORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

4 THE STATION HOUSE OFFICER
ANNAMALAI NAGAR POLICE STATION,
ANNAMALAI NAGAR,
CUDDALORE DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.K.G.SENTHILKUMAR Advocate on payment of necessary charges SR.NO. 7254

CRL OP.11510/2022

Date :18/05/2022

RW 18/05/2022