



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13476 of 2022

Yuvaraj

..Petitioner

Vs.

State represented by
The Inspector of Police,
Namakkal Police Station,
Namakkal District.

(*)Crime No.115 of 2014

..Respondent

PRAYER:-

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in the above said **(*)Crime No.115 of 2014** pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor
[CRL.O.P.No.13476/2022]

M/S.V.J.PRIYADARSANA,
Govt. Advocate (Crl. Side)
[CRL.M.P.No.8555/2022]

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.02.2014 for the offence under Section 394 of I.P.C. @ 450, 394 r/w 397 of I.P.C in **(*)Crime No.115 of 2014** on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is said to have been robbed 10 ½ sovereign gold chain of the defacto complainant's wife Vasanthi and also attacked her and caused injuries. Hence, the case was registered against the petitioner.



3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in the present case and he prays for grant of bail to the petitioner.

WEB COPY

4. The learned Additional Public Prosecutor would submit that the petitioner was arrested on 07.03.2022 on execution of non bailable warrant issued in the year 2019. Further, the petitioner did not committed any offence while pending non bailable warrant. Now, he is in incarceration from the date of arrest namely 07.03.2022 and originally the petitioner was arrested and released on bail. Now the matter is posted for trial in S.C.No.78 of 2014 on the file of the learned Principal Subordinate Judge at Namakkal. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner from the date of his arrest on 03.02.2014, this Court is inclined to grant bail to the petitioner with certain 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 blood related sureties, each for a like sum to the satisfaction of the Sub Court, Namakkal 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 learned Principal Subordinate Judge at Namakkal daily morning at 10.30 a.m and evening at 5.00 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.

WEB COPY

-sd/-
10/06/2022

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.

**(*)AMENDED AS PER ORDER OF THIS COURT DATED 01/07/2022 MADE IN
CRL.MP.No.8555 OF 2022 IN CRL.O.P.NO.13476 OF 2022**

TO

1 THE PRINCIPAL SUBORDINATE JUDGE
NAMAKKAL.

2 THE SUB COURT,
NAMAKKAL.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

4 THE INSPECTOR OF POLICE
NAMAKKAL POLICE STATION,
NAMAKKAL DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.T.MURUGANANTHAM Advocate on payment of necessary
charges SR.No.10485

CRL OP.13476/2022

Date :10/06/2022

CSK 10/06/2022

JPA 04/07/2022