



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM

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

Cr1.OP.No.13681 of 2022

S.Arun Kumar

..Petitioner

Vs.

State Represented by its
Inspector of Police,
Dharmapuri Town Police Station,
Dharmapuri District
crime No.248 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.248 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Rajarathinam

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.04.2022 for the offence punishable under Section 392 of IPC in crime No.248 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 08.04.2022 at 07.30 p.m., when the defacto complainant was walking along the road, the accused came in a two wheeler, intercepted and snatched 5 sovereign of gold chain. 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. Hence, he prays to grant bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner had snatched five sovereigns of gold chain and hence, the case was registered. He would further submit that now property has been recovered and the petitioner has one previous case. 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 property has been recovered, 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 Judicial Magistrate-I, Dharmapuri 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 stay at Chennai and report before the Inspector of Police, Harbour Police Station, Chennai 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/-

14/06/2022

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.



1 THE JUDICIAL MAGISTRATE-I,
DHARMAPURI.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
DHARMAPURI TOWN POLICE STATION,
DHARMAPURI DISTRICT.

4 THE OFFICER INCHARGE
SUB JAIL, DHARMAPURI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
HARBOUR POLICE STATION,
CHENNAI.

+1CC to M/S.T.RAJARATHINAM Advocate on payment of necessary
charges SR.No.9093

CRL OP.13681/2022

Date :14/06/2022

CSK 15/06/2022