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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

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

CrI.OP.No.14051 of 2022

Velmurugan

..Petitioner

Vs.

State Rep. By
The Inspector of Police,
B-3, Kanchi Taluk Police Station,
Kanchipuram District
Crime No.283 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.283 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Saranraj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.03.2022 for the offence punishable under Sections 294(b), 341, 392, 397, 307 and 506(ii) of IPC in crime No.283 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 29.03.2022, the petitioner waylaid the defacto complainant and demanded money, which was refused by him. Hence, he assaulted the defacto complainant using knife on his head and as such the defacto complainant sustained injuries and he also robbed Rs.850/- from the defacto complainant. 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 though



the petitioner was detained under Goondas Act after the above occurrence, the detention order was subsequently revoked by order dated 30.05.2022 in G.O.R.NMo.3229. Hence, he prays to grant bail to the petitioner.

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4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the petitioner has four previous cases similar in nature. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner, 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 No.II, Kanchipuram 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 Ulundurpet and report before the Inspector of Police, Ulundurpet Police Station, Ulundurpet daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of two weeks and thereafter report before the respondent police as and when required for interrogation.

[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/-

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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.II, KANCHEEPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
B-3, KANCHI TALUK POLICE STATION,
KANCHIPURAM DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

6 THE INSPECTOR OF POLICE
ULUNDURPET POLICE STATION,
ULUNDURPET.

+1 CC to M/S.A.SARANRAJ Advocate on payment of necessary charges SR.NO.9402

CRL OP.14051/2022

Date :17/06/2022

TA-20/06/2022