



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2022

CORAM

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

Cr1.OP.No.13822 of 2022

Kullamani @ Manikandan

.. Petitioner/A4

Vs.

State rep. by  
The Inspector of Police,  
P-6 Kodungaiyur Police Station,  
Chennai 600 118  
crime No.445 of 2022

.. Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in P-6 crime No.445 of 2022 pending investigation on the file of the respondent police.

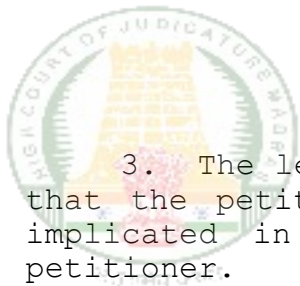
For Petitioner : Mr.T.Vincent

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.05.2022 for the offence punishable under Sections 147, 148, 341, 294(b), 392 r/w 397, 506(ii) of IPC in crime No.445 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the defacto complainant was waylaid by the petitioner and three others while proceeding in his auto at Tondiarpet Main Road and Chinnandimadam junction and demanded money for consuming liquor, but the same was refused by him. Therefore, they abused him in filthy language and robbed Rs.1,750/- at knife point and also threatened him with dire consequences. 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 there are totally 5 accused, in which the petitioner is arrayed as A4, who along with other accused persons waylaid the defacto complainant and robbed Rs.1,750/-. 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 X Metropolitan Magistrate, Egmore, Chennai 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 dharapuram and report before the Inspector of Police, Dharapuram Police Station, Dharapuram 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/-  
16/06/2022

WEB COPY  
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 METROPOLITAN MAGISTRATE,  
NO.X, EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN MAGISTRATE,  
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE  
P-6 KODUNGAIYUR POLICE STATION,  
CHENNAI 600118.

4 THE SUPERINTENDENT,  
CENTRAL PRISON-II, PUZHAI, CHENNAI

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,  
DHARAPURAM POLICE STATION,  
DHARAPURAM

+1 CC to M/S.T.VINCENT Advocate on payment of necessary charges  
SR.NO.9224

CRL OP.13822/2022

Date :16/06/2022

JPA 17/06/2022