



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM

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

CrI.OP.No.14344 of 2022

Kumar @ Water Wash Kumar

..Petitioner/ A4

Vs.

State Rep by,
The Inspector of Police,
K1 Sembium Police Station,
Chennai
crime No.885 of 2021

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.885 of 2021 on the file of the respondent police.

For Petitioner : Mr.S.Senthil Vel

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.03.2022 for the offence punishable under Sections 147, 148, 341, 294(b), 427, 336, 392, 397 and 506(ii) of IPC in crime No.885 of 2021 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 22.06.2021 at about 4.30 hrs, when the defacto complainant was unloading the goods in his shop at Rajangam Street, at that time, six unknown persons waylaid him and using unparliamentary words and threatening him, robbed a sum of Rs.1,800/- at knife point. Thereafter, they escaped from that place. 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 A1 to A3 were already granted bail by the courts below. Hence, he prays for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that on the date of occurrence, the accused persons threatened the defacto complainant and robbed Rs.1,800/-. They also damaged the goods vehicle of the defacto complainant. He would further submit that the petitioner is having eight previous cases. 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 co-accused were already granted bail by the courts below, 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 V 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 Kumbakonam and report before the Inspector of Police, Kumbakonam East Police Station, Kumbakonam 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. 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/-

22/06/2022

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.

TO

1 V METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
K-1 SEMBIUM POLICOE STATION, CHENNAI

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL -II, CHENNAI

6 THE INSPECTOR OF POLICE,
KUMBAKONDAM EAST POLICE STATION, KUMBAKONAM.

CC to M/s S.Senthil Vel Advocate on payment of necessary charges Sr.9709

CRL OP.14344/2022

Date :22/06/2022

RVR 23/06/2022