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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM

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

Crl.OP.No.14715 of 2022

Naveenkumar

.. Petitioner

Vs.

State Rep. By Inspector of Police
Mangadu Police Station,
Kancheepuram.
Crime No.312 of 2022.

.. Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner / accused on bail pending investigation in Crime No.312 of 2022 on the file of respondent police.

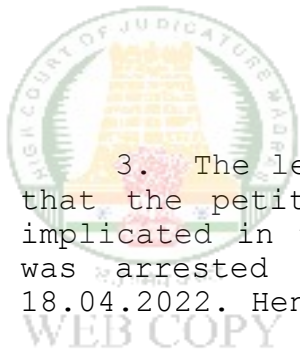
For Petitioner : Mr.C.C.Chellappan

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

ORDER

The petitioner, who was arrested by the respondent police on 17.04.2022 and remanded to judicial custody on 18.04.2022 for the offence punishable under Sections 341, 294(b), 336, 427, 397, 506(ii) of IPC in Crime No.312 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner waylaid the defacto complainant and threatened him and took away cash of Rs.1,000/- from the pocket of the defacto complainant and escaped from the scene of occurrence. Hence, the complaint.



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 the petitioner was arrested on 17.04.2022 and remanded to judicial custody on 18.04.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are totally 2 accused in which the petitioner is arrayed as A2. He would further submit that the petitioner has no previous case against him. However, he opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and the petitioner is in judicial custody from 18.04.2022, 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 their 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 Judicial Magistrate Court, Sriperumpudur, Kanchipuram District 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 Harbour Police Station, daily at 10.30 a.m, for a period of two weeks and thereafter report before the respondent Police daily at 10.30 a.m. for a period of four weeks and thereafter 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/-
27/06/2022

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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,
SRIPERUMPUDUR, KANCHIPURAM DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MANGADU POLICE STATION,
KANCHEEPURAM DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE OFFICER INCHARGE
HARBOUR POLICE STATION, CHENNAI

+1 CC to M/S.C.C.CHELLAPPAN Advocate on payment of necessary charges SR.NO.10047

CRL OP.14715/2022

Date :27/06/2022

JPA 28/06/2022