



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2022

CORAM

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

Cr1.OP.No.14823 of 2022

Subash

.. Petitioner/A3

Vs.

The State rep.by,
The Inspector of Police,
Puduchatram Police Station,
Namakkal District
crime No.124 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.124 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Vivekananthan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.05.2022 for the offence punishable under Sections 392, 397 of IPC altered into Sections 392, 397, 120(b) and 201 of IPC in crime No.124 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 20.05.2022, when the defacto complainant was returning from Virudhunagar in his bike, near Thirumalaipatti to Belukurichi road, some accused persons came in a two wheeler and threw chilli powder. Subsequently, they looted money from him 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 submitted that on the occurrence day, the accused persons waylaid the defacto complainant and sprayed chill power over him. Thereafter, they looted Rs.18,93,600/-, out of which nearly Rs.13,94,000/- has been recovered so far, and now the defacto complainant is also arrayed as an accused. He would further submit that A1 was already granted bail by this Court in CrI.OP.No.13458 of 2022 on 23.06.2022.

5. Considering the above facts and circumstances of the case and also considering that co-accused has been granted bail by this Court, 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 Court-2, Namakkal 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 Chengalpet and report before the Inspector of Police, Chengalpet Town Police Station, Chengalpet 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/-
28/06/2022

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 JUDICIAL MAGISTRATE,
NO.2, NAMAKKAL

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PUDUCHATRAM POLICE STATION,
NAMAKKAL DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
CHENGALPET TOWN POLICE STATION,
CHENGALPET

+1 CC to M/S R.VIVEKANANTHAN Advocate on payment of necessary charges SR.NO.10154

CRL OP.14823/2022

Date :28/06/2022

JPA 28/06/2022