



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2022

CORAM

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

Crl.OP.No.14871 of 2022

James

..Petitioner/A3

Vs.

State rep by,
Inspector of Police,
M2 Milk Colony Police Station,
Chennai
crime No.226 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.226 of 2022 on the file of the respondent police.

For Petitioner : Mr.S.Manimaran

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.06.2022 for the offence punishable under Sections 341, 294(b), 336, 427, 392, 397 and 506(ii) of IPC in crime No.226 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 06.06.2022 at 6.00 a.m., while the defacto complainant was walking near Padavettamman Koil Street, at that time the accused persons restrained the defacto complainant and using filthy language, threatened him with dire consequences. Further, they snatched Rs.600/- and a Jio Button Cellphone and 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. Hence, he prays to grant bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are totally four accused, in which the petitioner is arrayed A3. The accused persons waylaid the defacto complainant and robbed Rs.600/- and a Cellphone at knife point. He would further submit that the petitioner has no previous cases and property has been recovered from the accused persons. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and also considering the property has been recovered, 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, Madhavaram 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 Salem and report before the Inspector of Police, Shevapet Police Station, Salem daily at 10.30 a.m. and 05.30 p.m. for a period of two 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.

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-sd/-

30/06/2022

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 THE JUDICIAL MAGISTRATE,
MADHAVARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
M2, MILK COLONY POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE
SHEVAPET POLICE STATION,
SALEM.

+1CC to M/S.S.MANIMARAN Advocate on payment of necessary
charges SR.No.10345

CRL OP.14871/2022

Date :30/06/2022

CSK 30/06/2022