

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2022

CORAM

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

CrI.OP.No.15708 of 2022

Lokesh @ Logu

.. Petitioner/ A1

Vs.

State Rep. By
The Inspector of Police,
N2 Kasimedu Police Station
Chennai
crime No.105 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.105 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Nithiyavel

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

ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 21.05.2022 for the offences punishable under Sections 341, 294(b), 392 r/w 397, 506(ii) of IPC in crime No.105 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.05.2022, when the defacto complainant was walking near Singara Velar Street to go to his house, at that time, four persons waylaid and threatened him. Further, they also robbed Rs.2,000/- from him at knife point. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The Additional Public Prosecutor appearing for the respondent police would submit that there are totally four accused, in which the petitioner is arrayed as A1. He would further submit that the petitioner has 11 previous cases similar in nature. 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 XVI Metropolitan Magistrate, George Town, 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 Salem and report before the Inspector of Police, Tharamangalam Police Station, Salem daily at 10.30 a.m. and 05.30 p.m. for a period of three weeks and thereafter report before the respondent police daily at 10.30 a.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/-

07/07/2022

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 METROPOLITAN MAGISTRATE,
NO.XVI, GEORGE TOWN, CHENNAI

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

3 THE INSPECTOR OF POLICE,
N2 KASIMEDU POLICE STATION,
CHENNAI

4 THE SUPERINTENDENT,
CENTRAL PRISON-II, CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
THARAMANGALAM POLICE STATION, SALEM

CC to M/S.M.NITHIYAVEL Advocate on payment of necessary charges

CRL OP.15708/2022

Date :07/07/2022

JPA 08/07/2022