



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2022

CORAM

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

Crl.OP.No.15168 of 2022

Charles

..Petitioner/A1

Vs.

The State of Tamilnadu
Rep. by the Inspector of Police,
H-1, Washermenpet Police Station,
Chennai
crime No.408 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.408 of 2022 on the file of the respondent police.

For Petitioner : Mr.M.Illiyas

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.05.2022 for the offence punishable under Sections 341, 294(b), 323, 397, 506(ii) of IPC in crime No.408 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 23.05.2022 at about 10.00 hrs, when the defacto complainant came near Singaravelar Nagar 2nd Street, at that time the petitioner and two others restrained the defacto complainant and robbed Rs.500/- 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. Hence, he prays to grant bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that there are totally three accused, in which the petitioner is arrayed as A1, who along with other accused persons waylaid the defacto complainant and robbed Rs.500/- at knife point. He would further submit that the petitioner has 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 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 XV 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 Dharmapuri and report before the Inspector of Police, Thoppur Police Station, Dharmapuri 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/-

01/07/2022

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 XV METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
H-1, WASHERMENPET POLICE STATION,
CHENNAI.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

6 THE INSPECTOR OF POLICE,
THOPPUR POLICE STATION,
DHARMAPURI.

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

CRL OP.15168/2022

Date :01/07/2022

TA-04/07/2022