



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2022

CORAM

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

Cr1.OP.No.15347 of 2022

Santhosh

.. Petitioner/ A1

Vs.

The State rep.by
The Inspector of Police,
Ramanathapuram Police Station,
Coimbatore
crime No.250 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.250 of 2022 pending investigation on the file of the respondent police.

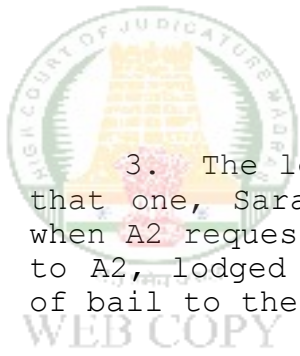
For Petitioner : Mr.K.Balasubramaniam

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.04.2022 for the offence punishable under Sections 397, 506(II) IPC in crime No.250 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 12.04.2022, the petitioner along with two other came to their room in search of one, Saravanan who is the owner of the room. Since the defacto complainant and other were giving evasive replies, they attacked him and took away a mobile phone. Hence, the case.



3. The learned counsel appearing for the petitioner would submit that one, Saravanan obtained money from A2 for his urgent needs and when A2 requested the same, the said Saravanan instead of paying money to A2, lodged the present false complaint. Hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there are totally three accused, in which the petitioner is A1, who along with other accused persons waylaid the defacto complainant and robbed a two wheeler and a mobile phone. He would further submit that the petitioner has eight 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, 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 No.VI, Coimbatore 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 Madurandhagam and report before the Inspector of Police, Madurandhagam Police Station, Madurandhagam 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/-
04/07/2022

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.VI, COIMBATORE

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
RAMANATHAPURAM POLICE STATION,
COIMBATORE.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
MADURANDHAGAM POLICE STATION,
MADURANDHAGAM

+1 CC to M/S. K.BALASUBRAMANIAM Advocate on payment of necessary charges SR.NO.10596

CRL OP.15347/2022

Date :04/07/2022

JPA 04/07/2022