



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2022

CORAM

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

CrI.O.P.No.15632 of 2022

K.Noorulla

... Petitioner

Vs.

State, Rep. by
The Inspector of Police,
G-1 Vepery Police Station,
Chennai.

Crime No.33 of 2022

... Respondent

PRAYER:-Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in connection with the case in C.C.No.3060 of 2020 pending committal on the file of the Learned II Metropolitan Magistrate, Egmore, Chennai.

For Petitioner : Mr.J.Ramkumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.02.2022 for the offence under Section 392 of IPC, in Crime No.33 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner waylaid the defacto complainant and snatched her 5 sovereign gold chain. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. That apart, the petitioner was arrested and remanded to judicial custody on 14.02.2022. Hence, he prays for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor submitted that investigation completed and the property has been recovered. He further submitted that there are five previous cases pending against the petitioner. Hence, he opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner i.e., from 14.02.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, 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 II Metropolitan Magistrate, Egmore 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 report before the respondent police thrice daily at 10.30.a.m., 12.30.p.m., and 5.30.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/-

06/07/2022

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.II, EGMORE,

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

3 THE INSPECTOR OF POLICE,
G-1 VEPERY POLICE STATION,
CHENNAI

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.J.RAMKUMAR Advocate on payment of necessary charges
SR.NO.10834

CRL OP.15632/2022

Date :06/07/2022

JPA 07/07/2022