



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2022

CORAM

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

Cr1.O.P.No.15593 of 2022

Sujith Kumar

...Petitioner

Vs.

State, Rep. by
The Inspector of Police,
Thudiyalur Police Station,
Coimbatore District
Crime No.129 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 P.R.C.No.46 of 2022 pending committal on the file of the Learned Judicial Magistrate Court No.1, Coimbatore.

For Petitioner : Mr.C.Harish

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.02.2022 for the offence under Section 394 of IPC, in Crime No.129 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 30.01.2022, the petitioner along with other accused waylaid and robbed a sum of Rs.600/- and a cell phone from the defacto complainant by showing knife and they had also taken the defacto complainant vehicle and fled away from the place.

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 01.02.2022. Hence, he prays for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor submitted that investigation completed and charge sheet also filed. He further submitted that there are eight previous cases pending against the petitioner. Hence, he opposed to grant bail to the petitioner.

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5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner i.e., from 01.02.2022, 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 **Judicial Magistrate Court No.1, 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 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/-
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 JUDICIAL MAGISTRATE,
NO.1, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THUDIYALUR POLICE STATION,
COIMBATORE.

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

+1 CC to M/S.C.HARISH Advocate on payment of necessary charges
SR.NO.10833

CRL OP.15593/2022

Date :06/07/2022

TA-06/07/2022