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Crl.OP.No.16077 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2022

CORAM

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

Crl.O.P.No.16077 of 2022

Raj @ Rajkumar

...Petitioner

Vs.

State, Rep. by
The Inspector of Police,
B-3, Kanchi Taluk Police Station,
Kanhipuram District.
Crime No.490 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.490 of 2022 on the file of
the respondent police.

For Petitioner : Mr.A.Saranraj

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



Crl.OP.No.16077 of 2022

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ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.06.2022 for the offence under Sections 392, 394 of IPC read with Section 3(1) of TNPPDL Act, in Crime No.490 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's car and robbed a sum of Rs.1,200/- at a knife point and also damaged the car mirror. 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 13.06.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that apart from this case, there is no previous case pending against the petitioner. However, he opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also



Crl.OP.No.16077 of 2022

considering the period of incarceration undergone by the petitioner i.e., from 13.06.2022, 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 No.II, Kanchipuram** 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 Karur and report before the Karur Town police station police twice daily at 10.30.a.m., and 04.30.p.m., for a period of four 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.



Crl.OP.No.16077 of 2022

[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.

12.07.2022

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To

1. Learned Judicial Magistrate No.II,
Kanchipuram
- 2.The Inspector of Police,
B-3, Kanchi Taluk Police Station,
Kanhipuram District.
3. Central Prison,
Puzhal, Chennai
- 4.The Public Prosecutor,
High Court of Madras.



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Crl.OP.No.16077 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

Crl.O.P.No.16077 of 2022

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