



WEB COPY



CrI.OP.No.17372 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2022

CORAM

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

CrI.OP.No.17372 of 2022

Vignesh

...Petitioner

Vs.

The State by
Inspector of Police,
Kunrathur Police Station,
Kanchipuram District.

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.396 of 2022
pending investigation before the respondent police.

For Petitioner	: Mr.M.Karthik
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 07.06.2022 for the offences punishable under Sections 392 &
397 of IPC in crime No.396 of 2022 on the file of the respondent police,
seeks bail.



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2. The case of the prosecution is that on the date of occurrence, the petitioner waylaid the *de-facto* complainant and threatened him at knife point and taken away one Vivo Cell phone. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 07.06.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that mobile phone was not recovered from the petitioner.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e. 07.06.2022, 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, Sriperumbudhur** and on further



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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 twice daily at 10.30 a.m. and 5.30 p.m. for a period of six weeks and thereafter as and when required for interrogation.

[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.

25.07.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate,
Sriperumbudhur.
- 2.The Inspector of Police,
Kunrathur Police Station,
Kanchipuram District.
- 3.Central Prison Puzhal.
- 4.The Public Prosecutor,
High Court of Madras

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