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Crl.O.P.No.17839 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2022

CORAM

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

Crl.O.P.No.17839 of 2022

Manikanddan @ Pattamani

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai District.
Crime No.399 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.399 of
2022 on the file of the Inspector of Police, Tiruvannamalai Taluk Police
Station, Tiruvannamalai District.

For Petitioner : Mr.S.Kasirajan

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



Crl.O.P.No.17839 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.07.2022 for the offences punishable under Sections 394 @ 394 and 397 of IPC in Crime No. 399 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, the petitioner along with other accused allegedly robbed the bike of the defacto complainant and also snatched his mobile phone. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He further submit that the petitioner is in Judicial Custody from 03.07.2022. onwards. Hence, he has prayed for grant of bail to the petitioner.



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Crl.O.P.No.17839 of 2022

4.The learned Additional Public Prosecutor appearing for the respondent submitted that stolen property has been recovered from the petitioner. However, he opposed for grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner from the date of arrest ie., from 03.07.2022, this Court is inclined to grant bail to the petitioner

6. 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 - II, Tiruvannamalai** 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



Crl.O.P.No.17839 of 2022

twice daily at 10.30.a.m., and 04.30.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.

29.07.2022

sma

To



Crl.O.P.No.17839 of 2022

WEB COPY

1. Judicial Magistrate -II,
Tiruvannamalai.
2. The Inspector of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai District.
3. Central Prison,
Vellore.
4. The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.O.P.No.17839 of 2022

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.17839 of 2022

29.07.2022