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CrI.OP.No.18569 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2022

CORAM

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

CrI.OP.No.18569 of 2022

M.Dinesh Kumar

...Petitioner

Vs.

The State

Reb. by Inspector of Police,
R11, Royala Nagar Police Station,
Tiruvallur District.

(Crime No. 156/2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to release the petitioner on bail in connection with Crime
No.156/2022 pending on the file of the respondent police.

For petitioner : M/s.N.Umapathi

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 21.07.2022 for the offences punishable under Sections 147,
294(b), 341, 342, 323, 364(A) and 506(i) of IPC in crime No.156 of
2022 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that, the *de-facto* complainant namely Ibrahim S/o Farook lodged a complaint with the respondent police alleging that the *de-facto* complainant and his friends are studying in SRM University at Ramapuram Campus. On 19.07.2022, they booked a Zoom car to attend a work at Kancheepuram and while returning the said car was capsized near Queens Land. The said car has been seized by the Seeneerkuppam Police Station. The owner of the car along with other accused persons have abducted and threatened the *de-facto* complainant's friends to make a payment of Rs.18,000/- for the damages caused to the car and obtained the same from them. Further, they had demanded a sum of Rs.3,00,000/- from the *de-facto* complainant friend's brother. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 21.07.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the



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respondent would submit that victims were secured by the respondent police. However, he vehemently opposed to grant bail to 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., 21.07.2022, 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 sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate-No.1, Poonamallee**, 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 twice daily at 10.30 a.m. and 5.30 p.m. for a period of four 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.



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[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.

05.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate-No.1,
Poonamallee.
- 2.The Inspector of Police,
R11, Royala Nagar Police Station,
Tiruvallur District.
- 3.Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.

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