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Crl.OP.No.18381 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2022

CORAM

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

Crl.OP.No.18381 of 2022

1.Venkatesan
2.Santhosh Kumar
3.Parthiban
4.Sarath

...Petitioners

Vs.

The State, Represented by
Inspector of Police,
Royala Nagar Police Station,
Chennai District.
(Crime No. 156 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail concerned in Crime No.156 of
2022 on the file of Inspector of Police, Royala Nagar Police Station,
Chennai District.

For Petitioners : Mr.C.Prabakaran

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

ORDER

The petitioners, who were arrested and remanded to judicial



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custody on 20.07.2022 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.

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 petitioners would submit that the petitioners were arrested and remanded to judicial



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custody on 20.07.2022. Hence, he prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that victims were secured by the respondent police. However, he vehemently opposed to grant bail to the petitioners.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from the date of their arrest i.e., 20.07.2022, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 Court 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 petitioners 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



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thereafter as and when required for interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

04.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

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

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