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CrI.OP.No.20551 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2022

CORAM

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

CrI.OP.No.20551 of 2022

Surya @ Kosuru Surya

...Petitioner

Vs.

State represented by
The Inspector of Police,
R-5 Virugambakam Police Station,
Chennai.
(Crime No.506 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.506 of 2022 on the
file of the respondent police.

For Petitioner :Mr.S.Divakar

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



CrI.OP.No.20551 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.07.2022 for the offences punishable under Sections **341, 294(b), 323, 336, 427, 392, 397 & 506(ii) of IPC** in crime No.506 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner/A1 along with other accused waylaid the defacto complainant and robbed a sum of Rs.300/- and a cell phone at knife point and also attacked with knife. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor that, apart from this case, there are seven previous pending against the petitioner. However, he opposed to grant bail to the petitioner.



CrI.OP.No.20551 of 2022

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of their arrest i.e., 25.07.2022, 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 sureties**, each for a like sum to the satisfaction of the **XXIII Metropolitan Magistrate Saidapet, Chennai** 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 Ambur and report before Ambur Town Police Station twice daily at 10.30.a.m., and 05.30.p.m., for a period of four weeks and thereafter 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.



CrI.OP.No.20551 of 2022

WEB COPY

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

29.08.2022

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CrI.OP.No.20551 of 2022

WEB COPY

To

1. XXIII Metropolitan Magistrate,
Saidapet, Chennai.
2. The Inspector of Police,
R-5 Virugambakam Police Station,
Chennai.
3. Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.OP.No.20551 of 2022

G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.20551 of 2022

29.08.2022