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Crl.O.P.No.22015 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.22015 of 2022

D.Rajesh

... Petitioner

Vs.

State rep.By:-
Inspector of Police,
G-2 Periamet Police Station,
Chennai.
(Crime No.187 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail pending investigation in Crime No.187
of 2022 on the file of the respondent.

For Petitioner : Mr.V.Parthiban

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.08.2022, for the offences punishable under Sections 195(A) and 506(i) of IPC, in Crime No.187 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with his friend threatened the defacto complainant not to depose against him in the earlier case. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and only to prejudice the mind of the Court, the defacto complainant had given a false complaint as against the petitioner. He would also submit that the petitioner is in custody from 16.08.2022. He would further submit that the defacto complainant has also been examined before the Court. Therefore, he prays for grant of bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner along with his friend threatened the defacto complainant not to depose against him in the earlier case. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel and perused the materials available on record.

6. Taking into consideration of the facts and circumstances of the case, the submissions made by the learned counsel and that the defacto complainant has also been examined before the Court and the petitioner is in custody from 16.08.2022, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned II Metropolitan Magistrate, Egmore, Chennai**, and on further conditions



[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 trial Court, daily at 10.30 a.m., until further orders;

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

19.10.2022

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To

1. The II Metropolitan Magistrate, Egmore, Chennai - 600 008.
2. The Inspector of Police,
G-2 Periamet Police Station,
Chennai.
3. The Puzhal Central Prison, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA., J.

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