



Crl.O.P.No.24569 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2022

CORAM

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

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PPGD Sankar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Sriperumpudur Police Station,
Kancheepuram District.
(Crime No.564 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending investigation in Crime
No.564 of 2022, on the file of the respondent Police.

For Petitioner : Mr.K.Pradeep Raj

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



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against the petitioner and the petitioner is a habitual offender, as far as this case is concerned, the very reading of the FIR would show that the case has been foisted by using the defacto complainant one Jothi, against whom, several cases are pending. He would further state that this Court finding that the petitioner has got 14 previous cases, had dismissed the earlier bail applications.

4. He would further submit that in respect of Crime Nos.285/2001, 224/2002, 125/2003, 237/2004, 65/2004 & 34/2010 on the file of the respondent police, the petitioner has been acquitted and in respect of the other Crime Nos.77/2015, 68/2019, 434/2022, 564/2022 & 298/2013 on the file of the respondent police and Crime No.01/2015 on the file of the CBCID, Thiruvallur & Crime No.734/2015 on the file of the Kundrathur Police Station, the cases are pending trial and in Crime No.433 of 2022 on the file of the respondent police, the petitioner is not an accused. He would also state that other than the allegation of showing pistol and threatening and intimidating the defacto complainant, nobody has been injured in this case and till date, no weapon has been recovered by the respondent police. He



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would further submit that the respondent has not taken police custody of the petitioner and further custody of the petitioner may not be required. He would also submit that the petitioner is prepared to abide by any stringent conditions that may be imposed on him and he also undertakes to cooperate with the respondent police in the investigation. Therefore, he prays for grant of bail to the petitioner.

5. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner is a notorious element, against whom there are 14 previous cases pending. He would also submit that the petitioner weilds influence in the particular area and using rowdy elements, has been threatening the businessmen and extracting money from them. Hence, he vehemently opposed to grant bail to the petitioner.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record including the First Information Report.



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7. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel and also the fact that out of 14 cases, the petitioner has been acquitted in 6 cases and he has not convicted in any case so far and taking into consideration the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8. 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)** each with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Sriperumpudur**, 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 Valliyur, Tirunelveli District and report before the Inspector of Police, Valliyur Police Station, daily at 10.30 a.m., and 05.30 p.m., until further orders;



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[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.

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To

1. The Judicial Magistrate, Sriperumpudur.
2. The Inspector of Police,
All Women Police Station,
Nannilam,
Thiruvarur District.
3. The Sub Jail,
Chengalpattu.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA., J.

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