



WEB COPY



Crl.OP.No.24447 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2022

CORAM

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.OP.No.24447 of 2022

Meenakshi Sundaram

... Petitioner

Vs.

The State,
Rep. by the Inspector of Police,
M-4, Redhills Police Station,
Thiruvallur District.
(Crime No.637/2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the Petitioner on bail in Crime No.637 of 2022 pending
investigation on the file of the Respondent.

For Petitioner : Mr.V.Suriya Sankar

For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor



Crl.OP.No.24447 of 2022

WEB COPY

ORDER

The Petitioner, who was arrested and remanded to judicial custody on 09.09.2022 for the offences punishable under Sections 341, 294(b), 336, 427, 397 and 506(ii) of IPC in Crime No.637 of 2022 on the file of the Respondent Police, seeks bail.

2. The case of the Prosecution is that on 08.09.2022 at about 07.30 p.m., the petitioner along with other accused persons went to the shop of the defacto complainant, attempted to attack him with knife and abused him with filthy language. Also the Petitioner is alleged to robbed a sum of Rs.1,000/- and threatened the defacto complainant with dire consequences. Thereafter escaped from the scene of occurrence. Hence, the case.

3. The learned Counsel appearing for the Petitioner would submit that the Petitioner is an innocent person. He has nothing to do with the alleged offence. He had been falsely implicated in this case. Therefore, he prays for grant of bail to the Petitioner.



Crl.OP.No.24447 of 2022

WEB COPY

4. The learned Additional Public Prosecutor appearing for the Respondent would submit that the petitioner along with other accused persons attempted to attack the defacto complainant with knife and abused him in filthy language. Also the Petitioner robbed a sum of Rs.1,000/- and threatened the defacto complainant with dire consequences and escaped from the scene of occurrence. However, he would submit that there is no previous case pending against the petitioner. He vehemently opposed to grant bail to the Petitioner.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and perused the materials available on record including the First Information Report.

6. Considering the facts and circumstances of the case and the period of incarceration suffered by the petitioner and also there is no previous case pending against him, this Court is inclined to grant bail to the petitioner with certain conditions:



CrI.OP.No.24447 of 2022

WEB COPY

7. Accordingly, the petitioner is ordered to be released on bail on 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.II, Ponneri and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judicial / Metropolitan Magistrate may obtain a copy of their Aadhar card or voter identity card or driving license or PAN card or Bank pass Book with photo affixed and attested by Bank Manager to ensure their identity;

(b) the petitioner shall co-operate with the pending investigation and report before the respondent police, daily at 10.00 a.m., until further orders;

(c) the petitioner shall not influence, threaten or coerce the witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;



Crl.OP.No.24447 of 2022

(e) on breach of any of the aforesaid conditions, the Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge himself/herself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(g) if the Accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

06.10.2022

ssi/rpp

To

1. The learned Judicial Magistrate No.II,
Ponneri.
- 2.The Inspector of Police,
M-4, Redhills Police Station,
Thiruvallur District
3. The Superintendent,
Central Prison, Puzhal.



Crl.OP.No.24447 of 2022

4. The Public Prosecutor,
High Court of Madras.

SATHI KUMAR SUKUMARA KURUP,J.
ssi/rpp

Crl.O.P.No.24447 of 2022

06.10.2022