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Crl.OP.No.25472 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 19.10.2022

CORAM

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

Crl.OP.No.25472 of 2022

Vasanthapriyan

... Petitioner

Vs.

State:

Rep. by the Inspector of Police,  
R-4, Soundapandiyanar Angadi Police Station,  
T.Nagar, Chennai.

(Crime No.162 of 2022)

...Respondent

**PRAYER:**Criminal Original Petition is filed under Section 439 of Cr.P.C.

praying to enlarge the petitioner on bail pending trial in Crime No.162 of 2022  
on the file of the respondent Police.

For Petitioner : Mr.G.Ruthra Kumar

For Respondent : Mr.A.Gokulakrishnan  
Additional Public Prosecutor

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 20.07.2022 at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 336, 427, 392, 397 and 506(ii) IPC, in Crime No.162 of 2022, seeks bail.



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2. The case of the prosecution is that the petitioner went to the defacto complainant's tiffin-shop and after having food, he refused to pay money for the same, when the defacto complainant demanded money, the petitioner threatened him at knife point and robbed a sum of Rs.5,000/- from the defacto complainant. Hence the complaint.

3. The learned counsel for the petitioner submitted that the respondent police registered this case only on suspicious manner. He further submitted that a false complaint has been foisted against the petitioner and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the defacto complainant is running a road side tiffin shop and the petitioner after having food, refused to pay for the same, when the defacto complainant questioned him, he abused the defacto complainant in filthy language and threatened him at knife point and also robbed Rs.5,000/- from the defacto complainant. Hence, he vehemently opposed to grant bail to the petitioner.



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5. It is seen that the petitioner was arrested and remanded to judicial custody on 20.07.2022 subsequently, he was detained under goondas. However, the detention order was not confirmed by the Advisory Board and set aside the detention order by an order dated 28.09.2022.

6. Considering the above facts and circumstances of the case and also considering the period of incarceration by the petitioner from the date of his arrest viz.,20.07.2022, this Court is inclined to grant bail to the petitioner with certain conditions.

7. 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 related sureties**, each for a like sum to the satisfaction of the learned XVII 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 report before the respondent police daily at



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

19.10.2022

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**G.K.ILANTHIRAIYAN, J.**



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To

- 1.The XVII Metropolitan Magistrate,  
Saidapet, Chennai.
- 2.The Inspector of Police,  
R-4, Soundapandiyanar Angadi Police Station,  
T.Nagar, Chennai.
3. The Central Prison,  
Puzhal, Chennai.
- 4.The Public Prosecutor,  
High Court of Madras.

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