



WEB COPY



Crl.OP.No.29266 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2022

CORAM

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

Crl.OP.No.29266 of 2022

Parthasarathy

... Petitioner

Vs.

The State
by the Inspector of Police,
Auroville Police Station,
Villupuram Distirct.
Crime No.233 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in respect of Crime No.233 of 2022
on the file of the Inspector of Police, Auroville Police Station, Villupuram
District pending investigation.

For Petitioner : Mr.S.Anburaja

For Respondent : Mr.C.E.Pratap,
Government Advocate (crl.side),



Crl.OP.No.29266 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.10.2022 for the offences punishable under Sections 147, 148, 341, 294(b), 506(ii), 427, 394 and 397 of IPC in Crime No.233 of 2022 on the file of respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that while he was on the way to his office, 6 unidentified persons had intercepted him in two wheeler and at the knife point, snatched his mobile phone and robbed a cash of Rs.2000/- by inflicting injuries. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner is only aged 19 years and he has no previous case pending against him. He would submit that the petitioner is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant bail to the petitioner.



Crl.OP.No.29266 of 2022

WEB COPY

4. The learned Government Advocate (crl.side) appearing for the respondent would submit that the petitioner along with the other accused had waylaid the defacto complainant and robbed his mobile phone and a sum of Rs.2000/- by inflicting injuries. He would submit that the petitioner has no previous case pending against him. However, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel and perused the materials available on record including the First Information Report.

6. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, 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.25,000/- (Rupees Twenty Five**



Crl.OP.No.29266 of 2022

thousand only) with two blood sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Vanur, Villupuram District 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 every day at 10.30 am 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**



Crl.OP.No.29266 of 2022

5560];

[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 229A IPC.

28.11.2022

shk

To

1. The learned Judicial Magistrate, Vanur, Villupuram District
2. The Inspector of Police,
Auroville Police Station,
Villupuram District.
3. The Central Prison,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.OP.No.29266 of 2022



WEB COPY



Crl.OP.No.29266 of 2022

A.D.JAGADISH CHANDIRA,J.

shk

Crl.O.P.No.29266 of 2022

28.11.2022