



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.31748 of 2022

Kannan

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Vellore Taluk Police Station,
Vellore.
(Crime No.282 of 2022)

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner/accused on bail in Crime No.282 of 2022 on the file of the respondent police.

For petitioner : Mr.M.Sathish Kumar

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 30.11.2022 for the offence under Sections 341, 294(b), 394, 397 and 506(ii)



IPC, in Crime No.282 of 2022, on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 30.11.2022, the defacto complainant had preferred the complaint alleging that the petitioner along with other accused had waylaid the defacto complainant and robbed a sum of Rs.2,250/- under knife threat. Hence the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is ready to abide by any stringent condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner and along with other accused waylaid the defacto complainant and robbed a sum of Rs.2,250/- under knife threat. Hence, he vehemently opposed to grant bail to the petitioner.



5. Considering the facts and circumstances of the case, and also taking note of the fact that investigation is completed, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.I, Vellore 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 daily at 10.30 a.m daily for the period of eight weeks.**

[c]the petitioner shall not tamper with evidence or witness during trial;

[d]the petitioner shall not abscond during investigation/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]; and;

[f]if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

22.12.2022

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To

- 1.The Judicial Magistrate No.I, Vellore.
- 2.The Inspector of Police,
Vellore Taluk Police Station,
Vellore.
- 3.The Central Prison, Vellore District.
- 4.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI,J.

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