



Crl.O.P.No.5976 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2023

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

Crl.O.P.No.5976 of 2023

Sanjai

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Vikravandi Police Station,
Villupuram District.

(Crime No.586 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail, in connection with the
Crime No.586 of 2022, pending investigation on the file of the respondent
Police.

For Petitioner : Mr.M.Devaraj

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.12.2022, for the offences punishable under Sections 392, 397, 294(b), 506(ii) of IPC r/w Section 27(2) of Arms Act, in Crime No.586 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused have waylaid the de-facto complainant, who was returning home from work, and by abusing and by threatening him with Aruval, had robbed a sum of Rs.2000/- from him. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, since he has got some previous cases. He further submitted that the petitioner is in custody from 19.12.2022 and he is ready to abide by any stringent conditions that may be imposed by this Court, therefore, he prayed to grant bail to the petitioner.

4. Learned Additional Public Prosecutor appearing for the



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respondent police submitted that the petitioner (A3) along with other accused have waylaid the de-facto complainant and robbed a sum of Rs.2000/-, by threatening him with Aruval. He further submitted that three previous cases are pending as against the petitioner and also stated that investigation has been completed and the charge sheet is yet to be filed. Therefore, he opposed for grant of 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.

6. Taking into consideration the facts and circumstances of the case and the submissions made by either side of the parties 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.10,000/- (Rupees Ten thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Vikravandi**, and on further conditions that:



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[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, everyday at 10.30 a.m. and 6.30p.m., 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 5560]*;

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

15.03.2023

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To



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



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A.D.JAGADISH CHANDIRA.,J.

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