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Crl.O.P.No.6203 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2023

CORAM

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

Crl.O.P.No.6203 of 2023

Veeramani

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Neyveli Township Police Station,
Cuddalore District.

(Crime No.33 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail, in connection with the Crime No.33
of 2023, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Suryaprakash

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.02.2023, for the offences under Sections 399 of IPC, in Crime No.33 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.01.2023, when the *de-facto* complainant, Sub-Inspector of Police and her team were on their routine patrol duty, they found that the accused were making preparations for committing dacoity with deadly weapons such as iron rod and knife. The respondent has seized the weapons and arrested four accused and two were escaped from the scene of occurrence. Hence the case.

3. Learned Counsel for the petitioner submitted that the petitioner is an innocent person, aged about 23 years and he has been falsely implicated in this case, since he has got some previous cases. He also submitted that the respondent has foisted this present case against the petitioner, only in order to keep him under fetters and arrested the petitioner on 07.02.2023. Hence, he prayed to grant bail to the petitioner, stating that he is ready to abide by any stringent conditions that may be imposed by this Court.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that petitioner is a habitual offender, against whom, 14 previous cases are pending and also history sheeted in H.S.No.201 of 2020. He further submitted that the petitioner along with other accused was found in making preparations for committing dacoity with deadly weapons. He also submitted that he investigation is still pending. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by either side and taking note of the period of incarceration undergone by this petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



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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 thousand only)** with **two sureties** (out of which, one shall be a blood related surety, who should produce document to show his/her means), each for a like sum to the satisfaction of the **learned District Munsif cum Judicial Magistrate, Neyveli**, 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, everyday at 09.00 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



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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.

24.03.2023

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To

1. The District Munsif cum Judicial Magistrate Court,
Neyveli.
2. The Inspector of Police,
Neyveli Township Police Station,
Cuddalore.
3. The Central Jail,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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