



Crl.O.P.No.9182 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2023

CORAM

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

Crl.O.P.No.9182 of 2023

Parthiba Raja

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Puzhal Police Station,
Madhavaram.

(Crime No.200 of 2023).

... 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.200 of 2023, pending investigation on the file of the respondent
Police.

For Petitioner : Mr.V.Karthick

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 23.03.2023, for the offences punishable under Sections 341, 294(b), 392 r/w 397 of IPC, in Crime No.200 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant/Siva is that the accused had waylaid him, demanded money from him and when the defacto complainant has refused to give the money, the accused by disclosing his name and his friends name, had threatened him and robbed an amount of Rs.2,500/- at knife point. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed the offence. He further submitted that the fact remains is that the petitioner is shown as a history sheeted rowdy in the respondent Police Station and only in order to keep the petitioner under continuous fetters, a false complaint has been given against him. He further submitted that the very reading of the First



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Information Report would show that it is only for the purpose of detaining the petitioner, a case has been registered. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for respondent submitted that the accused had waylaid him, demanded money from him and when the defacto complainant has refused to give the money, the accused, by disclosing his name and his friends name, had threatened him and robbed an amount of Rs.2,500/- at knife point. He further submitted that there are 14 previous cases pending against the petitioner. Hence, he opposed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also



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considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain condition.

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 should be the blood 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, Madhavaram** 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 9.00 a.m and 7.30 p.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;



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[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.

26.04.2023

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To

1. The District Munsif cum Judicial Magistrate,
Madhavaram.
2. The Inspector of Police,
Puzhal Police Station,
Madhavaram.
3. The Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

Vkr

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