



Crl.O.P.No.12083 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2023

CORAM

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

Crl.O.P.No.12083 of 2023

Sathish @ Sundeli @ Sundu

... Petitioner

Vs.

State by
The Inspector of Police,
Chrompet Police Station,
Chennai.
Crime No.141 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending investigation in connection
with Crime No.141 of 2023 on the file of the respondent police.

For Petitioner : Mr.R.Sasikumar

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



WEB COPY



Crl.O.P.No.12083 of 2023

ORDER

The petitioner, who was arrested and remanded to judicial custody on **18.04.2023** for the offences punishable under Sections 341, 294(b), 392, 397, 427, 336 and 506(ii) of IPC, in Crime No.141 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner waylaid the defacto complainant and snatched a sum of Rs.500/- at knife point. Hence, the case and also threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false case has been foisted against him. A very reading of the FIR would go to show that the petitioner has been implicated in this case for statistical purpose wherein, it is stated that the petitioner himself has declared that he is a notorious rowdy. He further submitted that the petitioner has been suffering incarceration from 18.04.2023. Hence, he prayed for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) vehemently opposed for grant of bail to the petitioner stating that the petitioner is a habitual offender against whom there are 6 previous cases.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent police and perused the materials available on record including the contents of the FIR.

6. Considering the facts and circumstances of the case, the submissions made by the learned counsel on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant of 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**, each for a like sum to the satisfaction of the **learned District cum Judicial Magistrate, Pallavaram, Chennai**, and on further conditions that:



WEB COPY



CrI.O.P.No.12083 of 2023

[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 stay at Thiruchendur and report before the Inspector of Police, Town Police Station, everyday at 10.30 a.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 petitioners 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.

06.06.2023

ksa-2



CrI.O.P.No.12083 of 2023

To

WEB COPY

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

Copy to:

The Inspector of Police
Town Police Station, Thiruchendur



WEB COPY



Crl.O.P.No.12083 of 2023

A.D.JAGADISH CHANDIRA,J.,

ksa-2

Crl.O.P.No.12083 of 2023

06.06.2023