



Crl.OP.No.21128 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.21128 of 2023

Vignesh @ Vicky
A1

...Petitioner /

Vs.

The State rep by,
Inspector of Police,
R-5, Virugambakkam Police Station,
(Crime No.503 of 2023)

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime Number. 503/2023 U/s.341, 147, 148, 294(b), 397, 506(ii) of IPC on the file of the respondent.

For Petitioner : Mr. S.Senthil Kumar

For Respondent : Mr.R.Kishore Kumar
Government Advocate(Crl. Side)



Crl.OP.No.21128 of 2023

WEB COPY

ORDER

The petitioner / A1, who was arrested and remanded to judicial custody on 29.07.2023 for the offences punishable under Sections 341, 147, 148, 294(b), 397, 506(ii) of IPC in Crime No.503 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused waylaid the defacto complainant and robbed a sum of Rs.500/- from the defacto complainant and also threatened him with dire consequences. Hence, the case was registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against the petitioner. He further submitted that the co-accused were arrested and released on bail by the Learned Principal Sessions Judge, Chennai in Crl.M.P.Nos.20066 & 20068 of 2023 dated 16.08.2023. He also further submitted that the petitioner was arrested and remanded to judicial custody on 29.07.2023



Crl.OP.No.21128 of 2023

and he has already suffered incarceration for more than 60 days. Hence, he sought for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that there are 15 previous cases as against the petitioner. Hence he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration, the facts and circumstances of the case and considering the period of incarceration by the petitioner from 29.07.2023, this Court is inclined to grant bail to the petitioner subject to the following conditions.

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, each for a like sum to the satisfaction of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



CrI.OP.No.21128 of 2023

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., 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 absconds, a fresh FIR can be registered under Section 229A IPC.



Crl.OP.No.21128 of 2023

03.10.2023

WEB COPY
Smv/nsl

To

1. XXII Metropolitan Magistrate,
Saidapet, Chennai
2. Central Prison No. II,
Puzhal, Chennai
3. The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.OP.No.21128 of 2023

C.V.KARTHIKEYAN. J.

Smv

Crl.OP.No.21128 of 2023

03.10.2023