



Crl.OP.No.23977 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2023

CORAM

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

Crl.OP.No.23977 of 2023

Jerry Joseph

... Petitioner

Vs.

State by
The Inspector of Police,
J-3, Guindy Police Station,
Chennai.
(Crime No.556 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.556 of
2023 pending on the file of the respondent police.

For Petitioner : Mr.B.Gowtham

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



Crl.OP.No.23977 of 2023

WEB COPY

ORDER

The petitioner/A8 seeks bail in Crime No.556 of 2023 registered by the respondent police for the offences punishable under Sections 341, 394 @ 341, 397 of IPC for the occurrence, which had allegedly taken place on 18.08.2023.

2. It is stated that the defacto complainant had given a complaint that he was robbed a sum of Rs.15,00,000/- by the accused.

3. It is stated by the learned counsel for the petitioner that the petitioner was an innocent of the said offence and his name was also not in the FIR.

4. On the side of the respondent it is stated that there are totally eleven accused in this case in which the petitioner is arrayed as A8. He further stated that some of the accused had been granted bail and a sum of Rs.11,50,000/- had been recovered from the accused.



Crl.OP.No.23977 of 2023

WEB COPY

5. Taking into consideration all these factors and in view of the particular fact that other accused had been granted bail, this Court is inclined to grant bail to the petitioner with certain conditions;

6. Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 IX 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 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., 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



WEB COPY



CrI.OP.No.23977 of 2023

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.

17.10.2023

ata



WEB COPY



Crl.OP.No.23977 of 2023

To

- 1.The IX Metropolitan Magistrate, Saidapet, Chennai.
- 2.Central Prison, Puzhal, Chennai.
- 3.The Inspector of Police,
J-3, Guindy Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

ata



WEB COPY



Crl.OP.No.23977 of 2023

Crl.O.P.No.23977 of 2023

17.10.2023