



WEB COPY



Crl.O.P.Nos.23, 848 & 1253 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

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

Crl.O.P.Nos.23, 848 & 1253 of 2024

S.Suresh S/o. Sekar

...Petitioner/Accused-2
in Crl.O.P.No.23 of 2024

1.Nandhish S/o. Kondaiya @ Kindaiah

2.Ilu @ Sham Saravanan S/o. Ramaiya

3.Venkatesan S/o. Ganesh

...Petitioners/Accused-6 - 8
in Crl.O.P.No.848 of 2024

Rajesh @ Majunath S/o. Govindaraj

...Petitioner/Accused-3
in Crl.O.P.No.1253 of 2024

Vs.

State represented by
The Inspector of Police,
Thirupathur Town Police Station,
Thirupathur District.

(Crime No.481 of 2023)

...Respondent in both Crl.O.Ps.

COMMON PRAYER: Criminal Original Petitions filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail concerned in Crime No.481 of 2023 on the file of the respondent, on such terms and conditions.



WEB COPY



Crl.O.P.Nos.23, 848 & 1253 of 2024

(In Crl.O.P.No.23 of 2024)

For Petitioner : Mr.Y.Kannavas
For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

(In Crl.O.P.No.848 of 2024)

For Petitioners : Mr.P.Muthamizhselvakumar
For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

(In Crl.O.P.No.1253 of 2024)

For Petitioner : Mr.I.Kowser Nissar
For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

COMMON ORDER

The 2nd accused has filed Crl.O.P.No.23 of 2024, the 6th to 8th accused have filed Crl.O.P.No.848 of 2024 and the 3rd accused has filed Crl.O.P.No.1253 of 2024, all in Crime No.481 of 2023, registered by the respondent police for the offence under Sections 393 & 397 of IPC, seek bail. They were remanded to custody on 21.11.2023.

2.It is the case of the prosecution that the statement was recorded



Crl.O.P.Nos.23, 848 & 1253 of 2024

from the injured person in Government General Hospital at Thirupathur stating that when he went to deposit a sum of Rs.60,00,000/- to HDFC Bank, some unknown persons had thrown chilli powder on his face and when he stopped his vehicle, there was an attempt to snatch the bag. It is stated that when the general public came there, the accused persons ran away.

3.It is contended by the learned counsel for the petitioners that the accused persons who had been arrested had been granted bail by the learned Judicial Magistrate under Section 167(2) Cr.P.C.

4.The learned Government Advocate (Crl. Side) for the respondent stated that all the accused persons had thrown chilli powder on the face of the injured and tried to snatch the bag which contained cash, but however the general public came there and prevented the robbery from taking place. The accused persons had been secured.

5.Taking into account the period of incarceration and all other



Crl.O.P.Nos.23, 848 & 1253 of 2024

surrounding factors, I am inclined to grant bail to the petitioners in all criminal original petitions subject to the following conditions:

6. Accordingly, the petitioners in all the criminal original petitions are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.I, Thirupathur, 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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



Crl.O.P.Nos.23, 848 & 1253 of 2024

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

24.01.2024

ata

C.V.KARTHIKEYAN. J.

ata

To



Crl.O.P.Nos.23, 848 & 1253 of 2024

WEB COPY

1. The Judicial Magistrate No.I, Thirupathur.
2. The Central Prison, Vellore.
3. The Inspector of Police,
Thirupathur Town Police Station,
Thirupathur District.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.Nos.23, 848 & 1253 of 2024

24.01.2024