



WEB COPY



Crl.O.P.No.93 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

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

Crl.O.P.No.93 of 2024

Kanniyappan

... Petitioner

Vs.

The State represented by
The Inspector of Police,
T-7, Tank Factory Police Station,
Avadi, Chennai.
Crime No.735 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.735 of 2023 on the file of
the respondent Police.

For Petitioner : Mr.S.SenthilKumar

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 25.11.2023 for the offences under Sections 341, 294(b), 323, 336, 427,



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397 and 506(ii) of IPC, in Crime No.735 of 2023 on the file of the respondent Police, seeks bail.

2. There are totally three accused and the petitioner is arrayed as A2. The case of the prosecution is that the petitioner along with two other accused had threatened and robbed a sum of Rs.650/- from the defacto complainant.

3. The learned Government Advocate (crl.side) stated that A1 and A3 had been detained under Act 14 of 1982. There is one previous case against the petitioner.

4. Taking all the factors into consideration and the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

5. 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 learned Judicial Magistrate, Ambattur 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



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Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioner shall report before the respondent Police, everyday, at 10.30 am., 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.

05.01.2024

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C.V.KARTHIKEYAN, J.

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To

- 1.The Judicial Magistrate, Ambattur.
- 2.The Inspector of Police,
T-7, Tank Factory Police Station,
Avadi, Chennai.
- 3.The Central Prison No.II, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

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