



Crl.O.P.No.11304 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

Crl.O.P.No.11304 of 2024

Vishnu

...petitioner

Vs.

State represented by
The Inspector of Police,
Madhavaram Police Station,
Chennai.
(Crime No.200 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.200 of 2024 on the file of the respondent Police.

For petitioner : Mr.D.Kannan

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.04.2024 for the offences registered by the respondent Police



CrI.O.P.No.11304 of 2024

punishable under Sections 341, 294(b), 323, 397, 506(ii) of IPC, in Crime No.200 of 2024 on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioner and the other accused had waylaid the defacto complainant and robbed a sum of Rs.1200/- from him and also threatened him with dire consequences. Hence this complaint.

3.It is stated by the learned Government Advocate (crl.side) that the amount robbed by the accused from the defacto complainant is not recovered. He further stated that no previous case is pending against the petitioner.

4.The learned counsel for the petitioner stated that the petitioner is an innocent person and he is no way connected with the alleged offence.

5.Taking the period of incarceration into consideration and also the fact that no previous case is pending against the petitioner, this Court is



CrI.O.P.No.11304 of 2024

inclined to grant bail to the petitioner subject to the following 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 learned District Munsif cum Judicial Magistrate, Madhavaram, 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 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



CrI.O.P.No.11304 of 2024

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.

08.05.2024

gsk

To

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



WEB COPY



CrI.O.P.No.11304 of 2024

K. KUMARESH BABU. J.

gsk

CrI.O.P.No.11304 of 2024

08.05.2024