



Crl.O.P.No.15475 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated : 02.07.2024

CORAM :

**THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI**

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1. R.Gokulraj,  
S/o. Raji
2. A.Naresh,  
S/o. Anandaraman
3. R.Saravanel,  
S/o. Rajamani

.. Petitioners

Vs.

State represented by  
The Sub-Inspector of Police,  
Tirupathur Town Police Station,  
Tirupathur Dt.  
(Crime No.257 of 2024)

.. Respondent

**PRAYER:** Criminal Original Petition has been filed under Section 439 of

Cr.P.C. praying to enlarge the petitioners on bail in Crime No.257 of 2024  
on the file of respondent police.

For Petitioners : Mr.C.D.Sugumar

For Respondent : Mr.V.Meganathan  
Govt. Advocate (Crl. Side)



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## **ORDER**

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The petitioners, who were arrested and remanded to judicial custody on 12.06.2024 for the alleged offence under Sections 384 of I.P.C. in Crime No.257 of 2024 on the file of the respondent police, seek bail.

2. The case of prosecution is that on 11.06.2024 at about 11.00 p.m. at TMC Colony, near Tirupathur Bus depot, the petitioners said to have extorted the defacto complainant by showing deadly weapon and taken away their mobile phones at knife point and escaped from the place of occurrence. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioners would submit that as per the prosecution, only three persons were involved in the alleged occurrence, however, these petitioners are being friends of other accused, they have been added as a accused without any materials. He would submit that they are no way connected with the offence and they have not committed any of offence as alleged by the respondent police. He would also submit that they have been falsely implicated in this case and they will abide by any condition that may be imposed by this court. He would also



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submit that the petitioners have been suffering incarceration for more than 18 days from 12.06.2024. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that totally, there are 3 accused involved in this case and the petitioners are arrayed as A1 to A3. He would submit that no previous case pending against the petitioners 1 and 2 and two previous cases pending against 3<sup>rd</sup> petitioner. He would also submit that if they are released on bail, they would hamper the investigation and tamper the witnesses and the investigation is almost completed. However, he would vehemently opposed to grant bail to the petitioners.

5. So far as 3<sup>rd</sup> petitioner is concerned, as he is the person present in the scene of occurrence and he is having two previous cases similar in nature pending, this court is not inclined to grant bail to 3<sup>rd</sup> petitioner.

6. Considering the above facts and circumstances and also the fact that the investigation is almost completed, and no previous cases pending against the petitioners 1 and 2 and on considering the period of



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incarceration undergone by the petitioners 1 and 2 from 12.06.2024, this Court is inclined to grant bail to the petitioners 1 and 2 with certain conditions.

7. Accordingly, the petitioners 1 and 2 are directed to **deposit totally a sum of Rs.10,000/- (Rupees ten thousand only) as non-refundable deposit to the credit of registered Advocates Clerks Association at Tirupathur**, and on such deposit, petitioners 1 and 2 are ordered to be released on bail on executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, for a like sum to the satisfaction of the ***Judicial Magistrate No.I, Tirupathur***, 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 1 and 2 shall report before the respondent police on alternative days at 10.30 a.m. for the period of two months.

(c) the petitioners 1 and 2 shall not tamper with



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evidence or witness either during investigation or trial;

(d) the petitioners 1 and 2 shall not abscond 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 petitioners 1 and 2 in accordance with law as if the conditions have been imposed and the petitioners 1 and 2 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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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To

- 1.The Judicial Magistrate No.I, Tirupathur.
- 2.The Sub-Inspector of Police, Tirupathur Town Police Station, Tirupathur.
- 3.The Superintendent of Prison, Sub-Jail, Tirupathur, Tirupathur Dt.
- 4.The Public Prosecutor, High Court, Madras.



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**T.V.THAMILSELVI, J.**

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