

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.8280 of 2021

P.Karthik Raj

... Petitioner

Vs.

State of Tamilnadu

rep. by The Inspector of Police,
P-1 Pulianthope,
Chennai.

(Crime No.374 of 2021)

.... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner/ accused on bail in Crime No.374 of 2021 on the file of the Inspector of Police, P-1 Pulianthope Police Station, Chennai.

For Petitioner : Mr.S.Haja Mohideen Gisthi

For Respondent : Ms.M.Prabhavathi
Additional Public Prosecutor

O R D E R

The petitioner who was arrested and remanded to judicial custody on 19.08.2021 for the offence under Sections 341, 294(B), 323, 392, 397 and 506(ii) of I.P.C. in Crime No.374 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner along with the other accused waylaid the defacto complainant and robbed a sum of Rs.430/- at knife point. The petitioner is arrayed as A3 in the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submitted that there is no previous case pending as against the petitioner.

5.Considering the period of incarceration, fact that there is no previous case pending as against the petitioner, I am inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned X Metropolitan Magistrate Court, Egmore and on further condition 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, daily at 10.30 a.m. until further orders;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 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]; and;

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

-sd/-

30/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

WEB COPY

TO

1 X METROPOLITAN MAGISTRATE
COURT, EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
P-1 PULITHANTHOPE, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

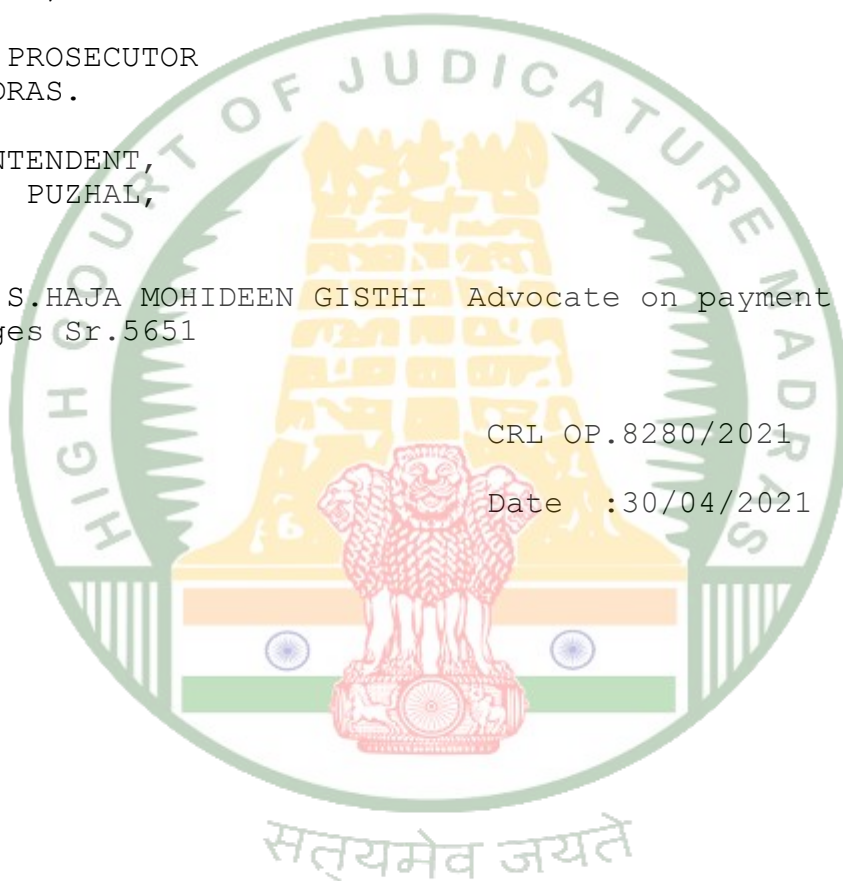
5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI

CC to M/S.S.HAJA MOHIDEEN GISTHI Advocate on payment of
necessary charges Sr.5651

CRL OP.8280/2021

Date :30/04/2021

RVR 03/05/2021



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