

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.05.2021

CORAM

THE HONOURABLE MR.JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.9205 of 2021

Karukka Karthik

...Petitioner

Versus

State represented by
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.

...Respondent

Criminal Original Petition is filed under Section 439 of Cr.P.C
praying to enlarge the petitioner on bail in connection with the case in Crime
No.437 of 2021 pending investigation on the file of the respondent/police.

For Petitioner

:

Mr.P.Thinesh

For Respondent

:

Mr.S.Karthikeyan,
Addl. Public Prosecutor

ORDER

The petitioner was arrested and remanded to judicial custody on 21.04.2021 for the alleged offences punishable under Sections 294(b), 392, 397 and 506 (I) IPC in Crime No.437 of 2021 pending on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that on 21.04.2021, the petitioner is said to have robbed of the *de facto* complainant Rs.1,300/- and a cell phone at knife point. Therefore, this case came to be filed.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Therefore, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent strongly opposed this bail petition. However he submitted that there is no previous case pending against the petitioner.

5. Taking note of the fact that the petitioner has no bad antecedents and also the fact that he is in judicial custody since 21.04.2021, this Court is inclined to grant bail to the petitioner on certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail, on he

executing a personal 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 **X Metropolitan Magistrate, Chennai**, and on further conditions that:

(a) the petitioner shall report before the respondent police daily at 10.30 a.m and 5.30 p.m until further orders;

(b) the petitioner shall not abscond either during investigation or trial;

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

(d) on breach of any of the aforesaid conditions, the learned Magistrate Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner is released on bail by the learned Magistrate himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***; and

(e) if the petitioner/accused thereafter absconds a fresh FIR can be registered under Section 229A IPC.

13.05.2021

nsd

Note: Issue Order copy on 13.05.2021

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G.CHANDRASEKHARAN, J.,

nsd

To

1.The X Metropolitan Magistrate,
Chennai.

2.The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.

3.The Superintendent of Prison,
Central Prison, Puzhal.

4.The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

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