



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.7900 of 2022

1.Karthik @ Kullakarthik
2.Tamilarasan

.. Petitioners

Vs.

The State rep. by
The Inspector of Police,
N4 Fishing Harbour Police Station,
Chennai.
(Crime No.26 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail in connection with the Crime No.26 of 2022 on the file of the respondent police.

For Petitioners : Mr.D.Padmanabhan

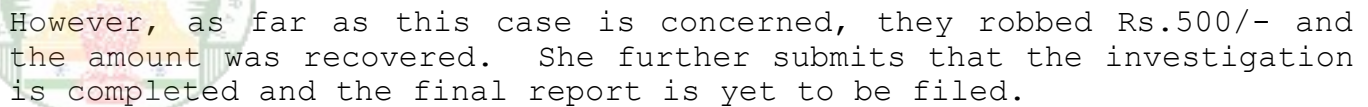
For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioners, who were arrested on 15.02.2022 for the alleged offences under Sections 147, 148, 341, 294(b), 323, 397, 427, 336, 506 (2) of IPC in Crime No.26 of 2022, on the file of the respondent police, seek bail.

2. The petitioners were arrested on 15.02.2022 based on the complaint given by one Manimaran to the respondent police alleging that though some unknown persons restrained him near fishing harbour, wielded knife and robbed Rs.500/- from the pocket later, known about the identity and the name of these persons. Pursuant to the said complaint, these two petitioners were arrested and remanded to the judicial custody on the same day.

3. Learned Additional Public Prosecutor appearing for the respondent opposed granting bail to the petitioners on the ground that the first petitioner has 21 previous cases of similar in nature and the second petitioner has 7 previous cases of similar in nature.



4. In view of the above change in circumstances, this second bail petition is considered. Hence, the petitioners are ordered to be released on bail subject to the following conditions;

(a) Each of the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned XVI Metropolitan Magistrate, George Town;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioners are directed to report before the Investigating Officer daily at 10.30 a.m. until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial 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 petitioners 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.

-sd/-
05/04/2022

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.

TO

1 THE XVI METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI.



2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
N4 FISHING HARBOUR POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
PUZHAL JAIL, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. D.PADMANABHAN Advocate on payment of necessary
charges SR.No.5163

CRL OP.7900/2022

Date :05/04/2022

CSK 06/04/2022