



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice D. BHARATHA CHAKRAVARTHY

CRIMINAL ORIGINAL PETITION No.12686 of 2022

IMRAN @ IMRANUDDIN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
D-3, ICE HOUSE POLICE STATION,
CRIME NO.59 OF 2022

[RESPONDENT]

For Petitioner : M/S.ABINESH BABU Advocate

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

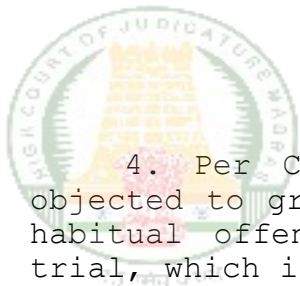
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 23.10.2018 for the alleged offence under Section 229-A of IPC in Crime No.59 of 2022 on the file of the respondent police, seeks bail.

2. The petitioner is an habitual offender involved in 16 previous cases. Since non-bailable warrant was issued in the earlier case in PRC. No. 8 of 2020 and since the petitioner did not take any steps either to surrender or to recall the non-bailable warrant, the present case in Crime No. 59 of 2022 has been registered under Section 229-A of I.P.C.

3. The learned counsel for the petitioner produced the proceedings of the lower court and would submit that the petitioner is regularly appearing and only because of the miscommunication between the petitioner and his counsel, he remained absent. He would further submit that if the petitioner released on bail, he would not abscond further and he will co-operate for all the cases.



4. Per Contra, learned Additional Public Prosecutor seriously objected to grant bail in this case citing that the petitioner is an habitual offender and he is most likely to abscond again and the trial, which is in progress in all the other cases will be hampered.

5. I have considered rival submissions.

6. Considering the nature of offence involved in the present case and the objection raised by the learned Additional Public Prosecutor, I am inclined to grant bail to the petitioner in this case, but however, on condition that while executing the sureties, the petitioner shall file an affidavit before the Trial Court that he will comply and duly observe the conditions imposed in this order as well as to continue to appear in all the cases pending against him without fail for a single hearing. In the event of his failure to appear in anyone of the cases, the bail, which is granted in all the cases pending against him, shall stand automatically cancelled.

6. With the above condition, 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, each for a like sum to the satisfaction of the learned II-Metropolitan Magistrate Court, Egmore, Chennai, on the following further conditions:-

[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 trial Court everyday 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 petitioner 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.



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-
26/05/2022

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 METROPOLITAN MAGISTRATE,
NO.II, EGMORE, CHENNAI.

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

3 THE INSPECTOR OF POLICE,
D-3, ICE HOUSE POLICE STATION,
CHENNAI

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.ABINESH BABU Advocate on payment of necessary charges
SR.NO.7869

CRL OP.12686/2022

Date :26/05/2022

JPA 26/05/2022