



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.Nos.19138, 19140, 19146, 19148, 19141, 19142, 19145 and
19143 of 2022

Sobin

.. Petitioner

Vs.

TheState, rep., by its,
Inspector of Police,
K-7, ICF Police Station,
Chennai.
Crime No.55 of 2010

.. Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C
praying to enlarge the petitioner on bail in C.C.Nos.9684 to 9691 of 2014
pending on the file of the respondent herein.

For Petitioner : Mr.M. Deivanandam

For Respondent : Mr.N.S. Suganthan
Government Advocate (Crl.Side)



COMMON ORDER

The petitioner herein was arrested on 23.02.2021 for the alleged offence under Section 420 r/w 34 IPC in Crime No.55 of 2010, on the file of the respondent police, seeks bail.

2. Bail petition by the accused who was remanded to custody on execution of Non Bailable Warrant, since he jumped bail. The case is pending for more than 7 years. Earlier when the petitioner sought bail, this Court taking note of the conduct of the petitioner and the stage of the trial, dismissed the bail petition with a direction to the trial Court to complete the trial probably, within a period of three months from the date of receipt of copy of the order.

3. Learned counsel appearing for the petitioner states that after the dismissal of the earlier bail petition, till date the prosecution has not even examined one witness. Therefore, seeks bail.



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3(i). Further submits that the petitioner is ready to abide by any conditions and he will not thereafter, jump bail and co-operate with the speedy conduct of the trial.

4. The prosecution has filed a counter stating that there are 8 cases pending against this petitioner and if he is released on bail, again he will indulge in protracting the trial.

5. On the basis of the rival submission, this Court is inclined to grant bail to the petitioner under Section 167(2) of Cr.P.C., with certain conditions. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with two sureties, each, one of the surety shall be his blood relative or spouse, for a like sum to the satisfaction of the V Metropolitan Magistrate, Egmore, Chennai.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned



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Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to report before the trial Court every Monday and on trial dates;

(d) the petitioner 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 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*** [(2005)AIR SCW 5560];

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

16.08.2022

AT



To

1.The V Metropolitan Magistrate, Egmore, Chennai.

2.The Inspector of Police,
K-7, ICF Police Station,
Chennai.

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

4.The Public Prosecutor,
High Court, Madras.

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Dr.G.JAYACHANDRAN,J.

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AT

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