



WEB COPY



Crl.OP.Nos.19971, 20075, 20076 & 20077 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.Nos.19971,20075, 20076 & 20077 of 2022

Anand @ Kalap

...Petitioner in all Op's

Vs.

State Rep. by:
The Inspector of Police,
E-2, Royapettah Police Station,
Chennai - 14.

..Respondent in all Op's

PRAYER in Crl.O.P.No.19971 of 2022:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail concerned in C.C.No.2856 of 2021 pending trial before the learned XVIII Metropolitan Magistrate Court, Chennai.

PRAYER in Crl.O.P.No.20075 of 2022:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail concerned in C.C.No.113 of 2022 pending trial before the learned XVIII Metropolitan Magistrate Court, Chennai.



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PRAYER in Crl.O.P.No.20076 of 2022:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail concerned in C.C.No.112 of 2022 pending trial before the learned XVIII Metropolitan Magistrate Court, Chennai.

PRAYER in Crl.O.P.No.20077 of 2022:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail concerned in C.C.No.2857 of 2021 pending trial before the learned XVIII Metropolitan Magistrate Court, Chennai.

For Petitioner
in all Crl.O.P.'s :Mr.R.Parthiban

For Respondent
in all Crl.O.P.'s :Mr.A.Damodaran
Additional Public Prosecutor

COMMON ORDER

The petitioner in Crl.O.P.No.19971 of 2022 was arrested on 01.06.2022, on execution of Non-Bailable Warrant issued by the learned XVIII Metropolitan Magistrate Court, Chennai for the offence under Sections 379 of IPC pending trial in C.C.No.2856 of 2021 in respect of crime No.1419 of 2020 on the file of the respondent police, seeks bail.



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The petitioner in Crl.O.P.No.20075 of 2022 was arrested on 01.06.2022, on execution of Non-Bailable Warrant issued by the learned XVIII Metropolitan Magistrate Court, Chennai for the offence under Sections 379 of IPC pending trial in C.C.No.113 of 2022 in respect of crime No.252 of 2021 on the file of the respondent police, seeks bail.

The petitioner was arrested in Crl.O.P.No.20076 of 2022 on 01.06.2022, on execution of Non-Bailable Warrant issued by the learned XVIII Metropolitan Magistrate Court, Chennai for the offence under Sections 379 of IPC pending trial in C.C.No.112 of 2022 in respect of crime No.172 of 2021 on the file of the respondent police, seeks bail.

The petitioner was arrested in Crl.O.P.No.20077 of 2022 on 01.06.2022, on execution of Non-Bailable Warrant issued by the learned XVIII Metropolitan Magistrate Court, Chennai for the offence under Sections 379 of IPC pending trial in C.C.No.2857 of 2021 in respect of crime No.1209 of 2020 on the file of the respondent police, seeks bail.



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2. It is seen that the petitioner is facing trial before the learned XVIII Metropolitan Magistrate, Chennai in C.C.Nos.2856 & 2857 of 2021 and in C.C.Nos.112 & 113 of 2022. It is alleged that the petitioner did not appear before the trial Court on 11.04.2022 and hence Non Bailable Warrant was issued against the petitioner and he was arrested on 01.06.2022. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the non-appearance before the lower Court by the petitioner is neither wilful nor wanton. However, he would also submit that the petitioner is ready to abide any condition as imposed by this Court and seeks for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the lower Court has issued Non-Bailable Warrant against the petitioner and thereafter, the petitioner was arrested on 01.06.2022. He would further submit that there are fifteen previous cases pending against the petitioner. Hence, he opposed to grant bail to the petitioner.



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5. Considering the above facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner ie, from 01.06.2022, this Court is 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 common blood sureties**, each for a like sum to the satisfaction of the **XVIII Metropolitan Magistrate Court, Chennai**, and on further conditions 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 learned XVIII Metropolitan Magistrate, Chennai, twice daily at 10.30 a.m. and 5.30 p.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness



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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 [(2005)AIR SCW 5560]**.

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

24.08.2022

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To

1. XVIII Metropolitan Magistrate Court,
Chennai.
2. The Inspector of Police,
E-2, Royapettah Police Station,
Chennai - 14.
3. Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN,J.

Sma

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