



Crl.O.P.Nos.24501 & 24505 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.Nos.24501 & 24505 of 2022

Salam @ Abdul Salam

... Petitioner in both Crl.O.P.Nos.

Vs.

The State represented by,
The Inspector of Police,
H-6 R.K.Nagar Police Station,
Chennai.

... Respondent in both Crl.O.P.Nos.

PRAYER in Crl.O.P.No.24501 of 2022 : Criminal Original Petition filed under Section 439 of Cr.P.C., pleaded to enlarge the petitioner on bail in S.C.No.196 of 2022 on the file of VII Additional Sessions Judge, Chennai.

PRAYER in Crl.O.P.No.24505 of 2022 : Criminal Original Petition filed under Section 439 of Cr.P.C., pleaded to enlarge the petitioner on bail in connection with Crime No.57 of 2019 on the file of the respondent Police.

In Both Crl.O.P.Nos.,

For Petitioner : Mr.V.Karthick

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



CrI.O.P.Nos.24501 & 24505 of 2022

WEB COPY

COMMON ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.07.2022 pursuant to the non-bailable warrant issued against him on 30.06.2022, in S.C.Nos.196 & 197 of 2022, on the file of the VII Additional Sessions Judge, Chennai, seeks bail.

2. The learned counsel for the petitioner would submit that the petitioner is an accused facing trial in S.C.Nos.196 & 197 of 2022 pending on the file of the learned VII Additional Sessions Judge, Chennai. He would further submit that the petitioner has been all along regularly appearing before the Court, due to his illness, he was unable to appear before the Court on 30.06.2022, due to which, Non Bailable Warrants were issued against him and pursuant to which the petitioner was arrested on 18.07.2022. He would also reiterate that the petitioner has been all along regularly appearing before the court and he is prepared to comply with any stringent condition that may be imposed by this Court and ready to furnish sufficient sureties. He would also submit that the petitioner will cooperate for the speedy disposal of the trial. Therefore, he prays for grant of bail to the petitioner.



Crl.O.P.Nos.24501 & 24505 of 2022

WEB COPY

3. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner has been regularly appearing before the court and on 30.06.2022, he failed to appear before the Court and therefore, the Court has issued a NBW against him and pursuant to which, the petitioner has been arrested on 18.07.2022. Hence, he oppose to grant bail to the petitioner.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

5. Taking into consideration the facts and submissions of the case and the submissions made by the learned counsel and also considering the fact that the petitioner except on 30.06.2022, he has been all along regularly appearing before the court, this Court is inclined to grant bail to the petitioner with certain conditions.



Crl.O.P.Nos.24501 & 24505 of 2022

WEB COPY

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only) in each crime number** with **two blood sureties**, (who should produce document to show his/her means), each for a like sum to the satisfaction of the **learned XV Metropolitan Magistrate, George Town, 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 trial Court on all working days, at 10.30 a.m., without fail, until further orders;

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

[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 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



Crl.O.P.Nos.24501 & 24505 of 2022

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 abscond, a fresh FIR can be registered under Section 229A IPC.

11.10.2022

ham

To

1. The XV Metropolitan Magistrate, George Town, Chennai.
2. The Inspector of Police,
H-6 R.K.Nagar Police Station,
Chennai.
3. The Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.Nos.24501 & 24505 of 2022

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.Nos.24501 & 24505 of 2022

11.10.2022