



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2023

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.19623 of 2023

Surendhar @ Aadu Surendhar

.. Petitioner/2nd Accused

Vs.

State Rep.by
The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai-600 021.
(Crime No. 493/2023)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.493 of 2023 on the file of the respondent police.

For Petitioner : M/s.Shahul Hameed

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



ORDER

WEB COPY

The petitioner along with five others was arrested on 08.08.2023 on suspicion that they have assembled and planned to commit decoity. Dangerous weapons were recovered from them.

2. As far as this petitioner is concerned, nine previous cases are pending against him. For the said reason, the learned Additional Public Prosecutor opposed granting bail.

3. However, the learned counsel appearing for the petitioner states that the co-accused has already been released on bail by the trial Court and as far as this petitioner is concerned, who arrayed as A2, the previous cases are not of similar in nature.

4. Considering the nature of the complaint registered against this petitioner and the period of incarceration, this Court is of the view that the petitioner may be granted bail. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;



WEB COPY

(a) the petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty Thosand only)** with two sureties, each for a like sum, to the satisfaction of the learned **XV M.M., George Town, Chennai;**

(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 petitioner is directed to report before the Investigating Officer, twice daily at 10.30 a.m., and 5.30 p.m., until further orders;**

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) 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];



WEB COPY



Dr.G.JAYACHANDRAN, J.

rpl

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

25.08.2023

rpl

To

1.The XV M.M., George Town, Chennai

2.The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai-600 021.

3.The Superintendent,
Central Prison, Puzhal-II
Chennai.

4.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.19623 of 2023