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CrI.O.P.No.21109 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

CrI.O.P.No.21109 of 2023

Ranganathan

...Petitioner

Vs.

The State Rep by
The Inspector of Police,
D-1, Triplicane P.S,
Chennai.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending trial in S.C.No.216 of 2019 on the file of the learned XX Additional Sessions Judge at Allikulam.

For Petitioner : Mr.L.Sivakumar

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.08.2023 and for the offences punishable under Section 341,



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294(b), 323, 324, 506(ii) and 302 of IPC, 1860, in S.C.No.216 of 2019, on the file of the learned XX Additional Sessions Judge at Allikulam, seeks bail.

2.The learned counsel for the petitioner submitted that petitioner is the sole accused in S.C.No.216 of 2019 pending on the file of learned XX Additional Sessions Judge, Allikulam, for the offences under Section 341, 294(b), 323, 324, 506(ii) and 302 of IPC, 1860. Petitioner was not able to appear before the trial Court on 21.07.2023 and NBW was issued against him on 21.07.2023. He was arrested on NBW on 04.08.2023. Since then he is in judicial custody. He further submitted that petitioner would be regular hereafter in facing the trial. Thus, he seeks bail.

3.In response, the learned Additional Public Prosecutor submitted that this case is pending for examination of Investigation officer. Because of absence of petitioner, there is delay in disposal of the case.

4.Considered the rival submissions and perused the records.

5.In the circumstances stated by the learned counsel appearing for



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parties, especially the submission made by the learned counsel for the petitioner that petitioner would be regular hereafter in attending the Court hearings and that petitioner is in judicial custody from 04.08.2023, this Court is inclined to grant bail to the petitioner with conditions.

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) with **two sureties**, each for a like sum to the satisfaction of the **learned XX Additional Sessions Judge, Allikulam, 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 concerned Court on all working days at 10.00.a.m., without fail and on the date of hearings till the disposal of the case in S.C.No.216 of 2019.

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



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[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 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.

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To

- 1.The Central Prison,
Puzhal, Chennai.
- 2.The Inspector of Police,
D-1, Triplicane P.S,
Chennai.
- 3.The XX Additional Sessions Judge,
Allikulam, Chennai.
- 4.The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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