



WEB COPY



CrI.OP.No.23153 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

CrI.OP.No.23153 of 2023

Raji
S/o.Kannan

...Petitioner/A2

Vs.

State represented by its
Inspector of Police,
K-10, Koyambedu Police Station,
Chennai District.
(Crime No.1808 of 1999)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in SC No.136 of 2023 pending on the file of the XXI Additional Judge, Chennai.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.R. Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.07.2023 for the offences punishable under Sections 392 and 397 IPC in S.C. No.136 of 2023, pending on the file of the XXI Additional Judge, Chennai, seeks bail.



CrI.OP.No.23153 of 2023

WEB COPY

2.The learned Government Advocate (CrI.Side) submitted that petitioner had been taken into custody on execution of Non Bailable Warrant, which had been issued on 04.07.2023. It is stated that FIR was registered in the year 1999 and the charge sheet was originally filed in the Sessions Court, Poonamalle, in the year 2006. There was no progress and subsequently, the entire case was transferred to the file of the learned XXI, Additional Judge, City Civil Court, Alikulam, Chennai in the year 2023. He further submitted that the other accused was dead.

3.The learned counsel for the petitioner states that the petitioner was not aware of the transfer and did not appear before the Court. Non Bailable Warrant was issued on 04.07.2023 and it was executed on 13.07.2023. It is further stated that the matter is posted for Trial.

4.Considering all these facts, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on he executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction



CrI.OP.No.23153 of 2023

of the **learned XXI Additional Judge, City Civil Court, Alikulam,**

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 XXI Additional Judge, City Civil Court, Alikulam, Chennai everyday at 10.30 a.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 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 petitioners 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].



CrI.OP.No.23153 of 2023

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

09.10.2023

mkn2/sli

To

- 1.The XXI Additional Judge, City Civil Court, Alikulam,
Chennai
- 2.The Central Prison,
Puzhal.
- 3.The Public Prosecutor,
High Court of Madras.
- 4.The Inspector of Police,
K-10, Koyambedu Police Station,
Chennai District.
(Crime No.1808 of 1999)



WEB COPY



Crl.OP.No.23153 of 2023

C.V.KARTHIKEYAN. J.

mkn2/sli

Crl.OP.No.23153 of 2023

09.10.2023