



CrI.OP.No.23220 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2023

CORAM

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

CrI.OP.No.23220 of 2023

Sethuraman

...Petitioner

Vs.

The State represented by
Inspector of Police,
Manimangalam Police Station,
Chengalpattu.
Crime No.201 of 2023.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail in connection with the case in Crime No.201 of 2023 pending investigation on the file of the Respondent police.

For Petitioner : Mr.R.Barnabas

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.07.2023 for the offence punishable under Sections 147, 148,



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294(b), 307, 324, 341, 506(ii) of IPC read with Section 25(1)(a) of Arms Act, in Crime No.201 of 2023 on the file of the respondent police, seeks bail.

2.It is stated that the occurrence had taken place on 21.07.2023, when the petitioner had extorted the defacto complainant and demanded ransom and he refused to give the same, due to which, the petitioner along with other accused assaulted the defacto complainant and caused grievous injuries.

3.The learned counsel for the petitioner stated that though the petitioner is arrayed as A9, he has not been named in the First Information Report. It is also stated that four of the accused have been granted bail and two of the accused have been killed during en-counter by the respondent Police.

4.It is stated that the petitioner had sustained injury in his forearm and required treatment and also stated that he wants to appear for TNPSC Sub Inspector examination.

5.The respondent may specifically inform the TNPSC Officials about the registration of the case in Crime No.201 of 2023 against the



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petitioner and even though his name may not found place in the FIR.

That he is the accused No.9 also to be informed.

6.Taking into consideration all these facts and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate II, Tambaram 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 respondent police daily 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.



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[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.

16.10.2023

vkrr

To

1.The Judicial Magistrate II, Tambaram.

2.The Central Prison, Puzhal.

3.The Inspector of Police,
Manimangalam Police Station,
Chengalpattu.

4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN.J

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