



WEB COPY



CrI.OP.No.23582 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

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

CrI.OP.No.23582 of 2023

Balaji @ Thatha Balaji

...Petitioner

Vs.

State by
Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai 600 021.
Crime No.226 of 2023.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner/Accused on bail concerned in Crime No.226 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.K.Thenrajan

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

ORDER

The petitioner/A2, who was arrested and remanded to judicial custody on 11.09.2023 for the offence punishable under Sections 448,



CrI.OP.No.23582 of 2023

294(b), 336, 392, 397, 427 and 506(ii) of IPC, in Crime No.226 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with two other accused had gone to the shop of the defacto complainant and abused him and robbed a sum of Rs.1400/- at knife point.

3.It is stated by the petitioner that A1 and A3 in this case have been granted bail.

4.It is stated by the respondent that there are 9 previous cases against the petitioner.

5.Taking over all consideration of the fact and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions;

6.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 XV Metropolitan Magistrate, George Town, Chennai, and on further conditions that:



CrI.OP.No.23582 of 2023

[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.

[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.

12.10.2023

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Crl.OP.No.23582 of 2023

C.V.KARTHIKEYAN. J.

vkf

To

- 1.The XV Metropolitan Magistrate,
George Town, Chennai.
- 2.Central Prison, Puzhal.
- 3.The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai 600 021.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.23582 of 2023

12.10.2023