



WEB COPY



Crl.O.P.No. 23827 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2023

CORAM

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

Crl.O.P.No.23827 of 2023

Karthikeyan

... Petitioner

Vs.

The State rep. by:-
The Inspector of Police,
T-11, Thirunindravur Police Station,
Thiruvallur District.
(Crime No.55 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner / Accused on bail in C.C.No.631 of 2023 on
the file of the Judicial Magistrate No.II, Thiruvallur in connection with
Crime No.55 of 2023 on the file of the respondent Police.

For Petitioner : Mr.M.Manimaran

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



Crl.O.P.No. 23827 of 2023

WEB COPY

ORDER

The petitioner/A2 who was arrested and remanded to judicial custody on 22.07.2023, registered for the offence under Section 420 of IPC in Crime No.55 of 2023.

2.After filing of the final report, the learned Magistrate had taken cognizance in C.C.No.631 of 2023, which is now pending before the learned Judicial Magistrate No.II, Thiruvallur.

3.The petitioner was actually granted bail by the learned Judicial Magistrate No.II, Thiruvallur on 02.05.2023 and he did not comply with the condition, therefore, Non Bailable Warrant had been issued against him and the petitioner had been taken into custody on 22.07.2023

4.It is stated that the petitioner had co-operated during the trial and L.W.1 to L.W.3 had been examined and their evidence had also been recorded. The matter has now posted for further evidence on the side of prosecution.

5.In view of the fact that the petitioner had actually co-operated during the course of trial and considering the period of incarceration, 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



CrI.O.P.No. 23827 of 2023

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 No.II, Thiruvallur 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 learned Judicial Magistrate No.II, Thiruvallur on every Monday, till completion of the trial, apart from the Court hearing dates;

[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.



WEB COPY



Crl.O.P.No. 23827 of 2023

20.10.2023

vkf

To

1. The Judicial Magistrate No.II, Thiruvallur.
2. The Inspector of Police,
T-11, Thirunindravur Police Station,
Thiruvallur District.
3. The Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.

C.V.KARTHIKEYAN, J.



WEB COPY



Crl.O.P.No. 23827 of 2023

vkf

Crl.O.P.No.23827 of 2023

20.10.2023