



Crl.O.P.No.26301 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023

CORAM

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

Crl.O.P.No.26301 of 2023

Vellai Madhan @ Mahankumar

... Petitioner/ Accused-6

Vs.

The State rep by
The Inspector of Police,
J-1, Saidapet Police Station,
Chennai – 600 015.

(Crime No.976 of 2016)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail in S.C.No.70 of 2017 on the file of the VII Additional District & Sessions Judge, Chennai, on such terms and conditions.

For Petitioner : Mr.P.Prince Premkumar

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



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ORDER

The petitioner is A6 in S.C.No.70 of 2017, now pending before the VII Additional District & Sessions Judge, Chennai, seeks bail. Originally, Crime No.976 of 2016 had been registered for the offences punishable under Sections 147, 148, 341, 302 IPC r/w 149, 120B & 109 of IPC.

2.The petitioner had absconded judicial process and a Non-bailable warrant was issued on 14.06.2022 and he was remanded to judicial custody on 09.02.2023. It is stated that the petitioner had absconded for a period of eight months and however the case is posted for trial and the next hearing date is on 21.04.2023.

3.In order to give an opportunity to the petitioner to defend his case, I am inclined to grant bail to the petitioner subject to the following conditions:

4.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 VII Additional District & Sessions Judge, Chennai, and on further conditions that:



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[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 Trial Court/VII Additional District & Sessions Court, Chennai, everyday at 10.30 a.m., till completion of trial, quite 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.

20.11.2023

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C.V.KARTHIKEYAN. J.

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To
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- 1.The VII Additional District & Sessions Judge, Chennai.
- 2.The Central Prison, Puzhal, Chennai.
- 3.The Inspector of Police,
J-1, Saidapet Police Station,
Chennai – 600 015.
- 4.The Public Prosecutor,
High Court of Madras.

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