



CrI.OP.No.26816 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

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

CrI.OP.No.26816 of 2023

S.Megendran

...Petitioner

Vs.

The State represented by its
The Inspector of Police,
Valasaravakkam Police Station,
Chennai.
Crime No.2826 of 1993

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail in Crime No.2826 of 1993 in P.R.C.No.6 of 1998 on the file of the respondent Police.

For Petitioner : Mr.P.Pugalenth

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

ORDER

The petitioner/A3 in Crime No.2826 of 1993 registered nearly about 30 years back under Sections 450, 461, 394 and 397 of IPC. Final



CrI.OP.No.26816 of 2023

report had been filed and taken cognizance as P.R.C.No.6 of 1998 by the learned Judicial Magistrate No.I, Poonamallee.

2. There were four accused and they kept alternatively absconding themselves for judicial process. The learned Judicial Magistrate No.I, Poonamallee, therefore, not commit the case to the Court of Sessions.

3. The learned Counsel for the petitioner claimed that the petitioner is innocent and seeks bail.

4. But the fate of A1 was sought by this Court and it is stated that both A1 and A2 have died. A4 is in custody.

5. Taking all these factors into consideration, 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 learned Judicial Magistrate No.I, Poonamallee, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



CrI.OP.No.26816 of 2023

Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the Judicial Magistrate No.I, Poonamallee, everyday, till the case is committed to the Court of Sessions and thereafter, report before the Sessions Court, on every Monday and Friday, till completion of the trial.

[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.

01.12.2023

vkrr



WEB COPY



Crl.OP.No.26816 of 2023

C.V.KARTHIKEYAN. J.

vkr

To

1.The Judicial Magistrate No.I, Poonamallee.

2.The Central Prison, Puzhal.

3.The Inspector of Police,
Valasaravakkam Police Station,
Chennai.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.26816 of 2023

01.12.2023