



Crl.O.P.No.27004 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

CORAM

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

Crl.O.P.No.27004 of 2023

Prakash @ Jayaprakash S/o. Murugan

...Petitioner/Accused-1

Vs.

The State rep. by
The Inspector of Police,
J-3, Guindy Police Station,
Chennai District.

(Crime No.568 of 2018)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in S.C.No.84 of 2023 on the file of the XVII Additional Sessions Judge, Chennai, on such terms and conditions.

For Petitioner : Mr.N.Bhaskaran

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



WEB COPY



CrI.O.P.No.27004 of 2023

ORDER

The petitioner is A1 in S.C.No.84 of 2023, now pending before the learned XVII Additional Sessions Judge, Chennai, seeks bail. Originally, Crime No.568 of 2018, registered by the respondent police for the offences punishable under Sections 147, 294(b), 324, 302 IPC r/w 149 of IPC.

2.The petitioner did not appear before the said Court on 18.08.2023. The learned counsel for the petitioner stated that at that time he has not engaged any advocate and therefore, a petition under Section 317 Cr.P.C., had been filed.

3.It is stated that he was suffering Dengue Fever on that particular date. He was subsequently taken into custody and remanded on 29.09.2023. The charges have now been framed. There are eight accused and all the accused are appearing before the Court. The matter is now next posted for examination of witnesses.



CrI.O.P.No.27004 of 2023

WEB COPY

4.In order to provide an opportunity to the petitioner to effectively defend the charges against him, I am inclined to grant bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two fresh sureties, each for a like sum to the satisfaction of the learned XVII Additional Sessions Judge, Chennai, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the Trial Court on every Monday at 10.30 a.m., quite apart from the Court hearing dates, till completion of trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either



CrI.O.P.No.27004 of 2023

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.

29.11.2023

ata



WEB COPY



CrI.O.P.No.27004 of 2023

To

1. The learned XVII Additional Sessions Judge, Chennai.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
J-3, Guindy Police Station,
Chennai District.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.27004 of 2023

C.V.KARTHIKEYAN. J.

ata

Crl.O.P.No.27004 of 2023

29.11.2023