



CrI.O.P.No.27608 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM

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

CrI.O.P.No.27608 of 2023

Prabhuraji @ Prabha

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.

(Crime No.27 of 2018)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.27 of
2018 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.A.Mohammeed Iqbal

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



Crl.O.P.No.27608 of 2023

WEB COPY

ORDER

The petitioner seeks bail in Crime No.27 of 2018, registered by the respondent police for the offences punishable under Sections 147, 148, 341, 302 r/w 120(B) of IPC.

2.This is the second bail application seeking bail by the petitioner herein.

3.The petitioner had been arrayed as A3 in P.R.C.No.67 of 2022, which actually is a split up case. The Non-bailable Warrant is still pending against A2.

4.One significant change in circumstance is that the petitioner and the other accused namely A1, A2, A5, A6 and A7, are also appearing in S.C.No.236 of 2022. This is the mother case and which is pending.



CrI.O.P.No.27608 of 2023

5. So far as the petitioner is concerned, he was issued with Non-bailable Warrant on 14.11.2022 and was secured on 12.09.2023.

6. Since the petitioner has now appeared and is participating in the trial process, I am inclined to grant bail to the petitioner subject to the following conditions:

7. 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 Court at Chennai, 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 appear either before the concerned Magistrate Court on every Monday at 10.30 a.m., till committal or before the concerned Sessions Court on every Monday at 10.30 a.m., till completion of trial, apart from the Court hearing dates.



Crl.O.P.No.27608 of 2023

WEB COPY

[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.

08.12.2023

ata



WEB COPY



CrI.O.P.No.27608 of 2023

To

1. The XV Metropolitan Magistrate, George Town Court, Chennai.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

ata



WEB COPY



Crl.O.P.No.27608 of 2023

Crl.O.P.No.27608 of 2023

08.12.2023