



Crl.O.P.No.27764 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2023

CORAM

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

Crl.O.P.No.27764 of 2023

Janarthanan @ Loganathan

... Petitioner/Accused

Vs.

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

(Crime No.372 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.372 of 2023 on the file
of the respondent.

For Petitioner : Mr.S.Ambedkar

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



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ORDER

The petitioner/A2 seeks bail in Crime No.372 of 2023, registered by the respondent police for the offences punishable under Sections 399 and 402 of IPC. The petitioner had been remanded to custody on 18.10.2023.

2.It is stated that the other accused had been granted bail.

3.It had been stated that the defacto complainant sought an auto in CR Road, Arinarayanapuram, and when he went there, he found that somebody was talking and planning to commit a joint robbery. Thereafter, the accused were taken into custody.

4.It is stated that there are eight previous cases against the petitioner including one under Section 307 IPC but however, taking into consideration there is a change in circumstance that the other accused had been granted bail and the period of incarceration, I am inclined to grant bail to the petitioner herein subject to the following conditions:

5.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, 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 respondent police everyday at 10.30 a.m., until further orders.

[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.

12.12.2023

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C.V.KARTHIKEYAN, J.
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To

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

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