



Crl.O.P.no.29119 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.12.2023

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.No.29119 of 2023

Karthick Ramesh
S/o.Ramesh

... Petitioner/Accused

Vs

State Rep. By
The Inspector of Police
R-7, K.K.Nagar Police Station
Chennai
(Crime No.286 of 2023)

... Respondent

Petition filed under Sec.439 of Cr.P.C to enlarge the petitioner on bail in Crime No.286 of 2023 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.Kripakaran



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For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.12.2023 for the offences under sections 392 and 397 of IPC in Crime No. 286 of 2023 on the file of R-7, K.K. Nagar Police Station, seeks bail.

2.The learned counsel appearing for the petitioner would contend that the petitioner is in custody for more than 15 days and he has not committed any offence as alleged in FIR. It is his further submission that there is no previous case against this petitioner. Hence, he prayed to grant bail to the petitioner.

3.The learned Additional Public Prosecutor appearing for the respondent police would contend that the petitioner along with other accused waylaid the vehicle of the *defacto* complainant and took away the cash worth Rs.1,50,000/- and the money has been recovered from the accused.



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4. Heard both sides and perused the materials available on record including the First Information Report.

5. Considering the submissions made on either side, considering the fact that the amount was recovered and also considering the fact that there is no previous case against this petitioner, and the duration of custody undergone by the petitioner, this court is inclined to grant bail to the petitioner subject to the following conditions:

[a] 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 XXIII Metropolitan Magistrate, Saidapet, Chennai and on further conditions that:

[b] the petitioner shall report before respondent police daily at 10.00 A.M., until further orders.

[c] the petitioner shall not commit any offences of similar nature.

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

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



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during investigation or trial.

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[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

28.12.2023

index: Yes/No

Internet: Yes/No

Speaking/Non Speaking order

gpa/dpa

To

1. XXIII Metropolitan Magistrate
Saidapet, Chennai
2. The Central Prison
Puzhal
3. The Inspector of Police
R-7, K.K.Nagar Police Station
Chennai

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4.The Public Prosecutor,
Madras High Court,
Chennai.

P.DHANABAL,J

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