



WEB COPY



Crl.O.P.No.24 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2024

CORAM

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

Crl.O.P.No.24 of 2024

Radha Krishnan

... Petitioner

Vs.

The State represented by
The Inspector of Police,
K-7, ICF Police Station,
Chennai.

Crime No.663 of 2020

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in C.C.No.2276 of 2021 on the file of
the learned V Metropolitan Magistrate, Egmore, at Chennai in Crime No.663
of 2020 on the file of the respondent Police.

For Petitioner : Mr.C.Raja

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioner is A3 in C.C.No.2276 of 2021, now pending before
the learned V Metropolitan Magistrate, Egmore, Chennai, seeks bail.



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Originally, Crime No.663 of 2020 had been registered by the respondent for the offences under Section 392 of IPC and subsequently, altered to Sections 392 r/w 34 of IPC.

2.The petitioner had absconded from judicial process and Non-bailable Warrant was issued against him on 14.03.2023 and it was executed only on 03.10.2023.

3.It is stated by the learned Government Advocate (Crl. Side) for the respondent that there are totally 3 accused and the two other accused are appearing before the Court regularly and the case is now posted for examination of prosecution witnesses.

4.Taking all these factors into consideration and in order to give an opportunity to the petitioner to defend his case during the course of trial, 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 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 V Metropolitan Magistrate, Egmore, 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



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Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioner shall report before the learned V Metropolitan Magistrate, Egmore, Chennai, everyday and also during the Court hearing dates, 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.

04.01.2024

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To

1.The V Metropolitan Magistrate, Egmore, Chennai.

2.The Inspector of Police,
K-7, ICF Police Station,
Chennai.



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C.V.KARTHIKEYAN, J.

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3.The Central Prison, Puzhal II.

4. The Public Prosecutor, High Court of Madras.

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