



Crl.O.P.No.102 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM

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

Crl.O.P.No.102 of 2024

Appu @ Deepak

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai.

(Crime No.48 f 2019)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in S.C.No.235 of 2022 on the file of the V Additional Sessions Court, Chennai, on such terms and conditions.

For Petitioner : Mr.C.Raja

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



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ORDER

The petitioner/A2 in S.C.No.235 of 2022, now pending before the V Additional Sessions Court at Chennai, seeks bail. Originally, Crime No.48 of 2019 had been registered by the respondent for the offences under Sections 341, 294(b), 302 & 506(2) of IPC.

2.It is stated that Non-bailable warrant had been issued against the petitioner on 29.08.2023 and it was executed on 06.11.2023.

3.It is stated that there are two other accused and NBW is still pending against A1 and A3. The matter had been split up and is pending in P.R.C.No.59 of 2022 before the XV Metropolitan Magistrate, George Town, Chennai.

4.Taking all the factors into consideration and the period of incarceration and the fact that the earlier bail granted to the petitioner, I am inclined to grant bail to the petitioner with certain 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 fresh sureties, each for a like sum to the



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satisfaction of the V Additional Sessions Court, 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 before the V Additional Sessions Court, Chennai, everyday at 10.30 a.m., till completion of trial, apart from the Court hearing dates.

[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.

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C.V.KARTHIKEYAN. J.

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To

1. The V Additional Sessions Court, Chennai.
2. The Central Prison, Puzhal – II.
3. The Inspector of Police,
H-3, Tondiarpet Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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