



Crl.O.P.No.119 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

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

Crl.O.P.No.119 of 2024

Karthikeyan @ Vallarasu

... Petitioner

Vs.

The State represented by
The Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai.
Crime No.407 of 2018

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in S.C.No.150 of 2023 in Crime
No.407 of 2018 on the file of the XXI Additional Sessions Judge, City Civil
Court, Allikulam, Chennai.

For Petitioner : Mr.K.Vignesh

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

ORDER

The petitioner who is A1 in S.C.No.150 of 2023, now pending
before the learned XXI Additional Sessions Judge, City Civil Court,



Crl.O.P.No.119 of 2024

Allikulam, Chennai, seeks bail. Originally, Crime No.407 of 2018 had been registered by the respondent for the offences under Section 341, 294(b), 392 r/w 397 and 506(ii) of IPC.

2.The petitioner had absconded from judicial process and Non-bailable Warrant was issued against him according to the learned counsel for the petitioner on 21.03.2023 and according to the learned Government Advocate on 10.10.2023. At any rate, the petitioner was secured on 28.11.2023.

3.It is stated by the learned Government Advocate (Crl. Side) for the respondent that there are totally 2 accused and the other accused is appearing before the Court regularly.

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, (out of which, one should be the blood surety of the petitioner) each for a like sum to the satisfaction of the learned XXI Additional Sessions Judge, City Civil Court, Allikulam, Chennai and on



CrI.O.P.No.119 of 2024

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 report before the learned XXI Additional Sessions Judge, City Civil Court, Allikulam, Chennai on every Monday 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.

05.01.2024

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Crl.O.P.No.119 of 2024

C.V.KARTHIKEYAN, J.

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To

- 1.The XXI Additional Sessions Judge,
City Civil Court, Allikulam, Chennai
- 2.The Inspector of Police,
R-7, K.K.Nagar Police Station,
Chennai.
- 3.The Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.

Crl.O.P.No.119 of 2024

05.01.2024