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Crl.O.P.No.403 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM

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

Crl.O.P.No.403 of 2024

Ramkumar @ Kakka Ram

...Petitioner

Vs.

State
Rep. by
Inspector of Police,
N-3, Muthialpet Police Station,
Chennai.
(Crime No.235 of 2018)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in S.C.No.148 of 2023 in Crime No.235 of 2018 on the file of the XX Additional Sessions Judge, Alliculam, Chennai.

For Petitioner : Mr.A.Elumalai

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

ORDER



Crl.O.P.No.403 of 2024

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The petitioner/A2 in S.C.No.148 of 2023 pending before the XX Additional Sessions Judge, Alliculam Chennai who was remanded to custody on 06.11.2023 on execution of non bailable warrant which was issued on 10.10.2023 seeks bail.

2. The learned Government Advocate (Crl.Side) stated that the co-accused /A1 had absconded on 05.01.2024 necessitating issuance of non bailable warrant. But however the petitioner had been secured on 06.11.2023 and his case to be viewed independent to that of A1 .

3. Taking all factors in to consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

4. Accordingly, the petitioner is ordered to be released on bail on his executing 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 XX Additional Sessions Judge, Alliculam, Chennai and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the XX Additional Sessions



CrI.O.P.No.403 of 2024

Judge, Allikulam, Chennai everyday at 10.30 a.m., till the completion of trial apart from 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.

11.01.2024

Vv

To

1. The XX Additional Sessions Judge,



CrI.O.P.No.403 of 2024

Alliculam Chennai

2. The Central Prison, Puzhal,
Chennai.
3. The Inspector of Police,
N-3, Muthialpet Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

Vv



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CrI.O.P.No.403 of 2024

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