



Crl.O.P.No.2550 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

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

Crl.O.P.No.2550 of 2024

A.Prasanna Balaji

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

(Crime No.104 of 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.63 of 2022 on the file of the XXI Additional Sessions Judge, Chennai, on such terms and conditions.

For Petitioner : Mr.M.Sarathkumar

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



Crl.O.P.No.2550 of 2024

WEB COPY

ORDER

The petitioner is an accused in S.C.No.63 of 2022, now pending trial before the learned XXI Additional Sessions Judge, City Civil Court, Chennai, seeks bail. Originally, Crime No.104 of 2019 had been registered for the offences under Sections 397 of IPC @ Sections 455, 392 r/w 394 of IPC.

2.It is stated that when the defacto complainant was inside the kitchen, an unknown person had come with sharp knife and threatened and attacked the defacto complainant and also robbed a gold chain.

3.The one factor, which is against the petitioner is that NBW had been issued on 25.04.2022 and the petitioner was secured only on 06.06.2023.

4.It is stated that the earlier application seeking bail was dismissed on 24.11.2023 in Crl.O.P.No.26649 of 2023. The one significant change in circumstance as on date is that charges have been framed and summons had been issued to the prosecution list witnesses.



Crl.O.P.No.2550 of 2024

WEB COPY

5.Taking that factor into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

6.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 (one surety must be blood surety), each for a like sum to the satisfaction of the XXI Additional Sessions Judge, 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 learned XXI Additional Sessions Judge, Chennai, everyday at 10.30 a.m., till completion of trial, including 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



Crl.O.P.No.2550 of 2024

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.

08.02.2024

ata

C.V.KARTHIKEYAN. J.

ata

To



Crl.O.P.No.2550 of 2024

WEB COPY

1. The XXI Additional Sessions Judge, Chennai.

2. The Central Prison, Puzhal, Chennai.

3. The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.2550 of 2024

08.02.2024