



Crl.O.P.No.693 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

CORAM

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

Crl.O.P.No.693 of 2024

Karthik @ Mittai Karthik
S/o.Janardhan

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai.
(Crime No.898 of 2020)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in C.C.No.8755 of 2022 on the file of V Metropolitan Magistrate, Egmore, Chennai in Crime No.898 of 2020 on the file of the Inspector of Police, K-8, Arumbakkam Police Station, Chennai.

For Petitioner : Mr.R.Muthukumar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor



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ORDER

The Petitioner/Accused in C.C.No.8755 of 2022 pending before the learned V Metropolitan Magistrate, Egmore, Chennai who had been remanded to custody on 27.09.2023 consequent to issuance of non-bailable warrant on 31.05.2023, seeks bail.

2. The Petitioner has a long history of previous cases and also experience of being detained under Tamil Nadu Act 14 of 1982. The offences for which the calender case is to be tried under Section 392 IPC. It is stated that the matter is now posted for examination of prosecution witnesses. The Petitioner should also be offer an opportunity to defend this case.

3. Taking that factor into 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 condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten



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Thousand only) with two fresh sureties, each for a like sum to the satisfaction of the V Metropolitan Magistrate, Egmore, 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 learned V Metropolitan Magistrate, Egmore, 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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To

- 1.The V Metropolitan Magistrate,
Egmore, Chennai.
- 2.The Central Prison at Puzhal,
Chennai.
- 3.The Inspector of Police,
K-8, Arumbakkam Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.
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