



Crl.O.P.No.997 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.997 of 2024

Vicky @ Vignesh

...Petitioner/Accused-6

Vs.

State represented by
The Inspector of Police,
T-3, Korattur Police Station,
Chennai District.

(Crime No.624 of 2018)

...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.111 of 2020 on the file of the III Additional District and Sessions Court, Poonamallee, Tiruvallur District, on such terms and conditions.

For Petitioner : Mr.P.Muthamizhselvakumar

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



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ORDER

The petitioner/A6 in S.C.No.111 of 2020, now pending before the III Additional District and Sessions Court, Poonamallee at Tiruvallur District, seeks bail. The charges which had been framed are under Sections 120(B), 341, 342, 147, 148, 294(b), 435, 506(ii), 302 r/w 149 of IPC.

2.The petitioner had been issued with a Non-bailable warrant on 10.02.2021 and it was executed only on 14.06.2023.

3.The earlier application for bail was dismissed on 09.11.2023 and it had been stated that there should be some progress in the trial. It is stated that the charges have now been framed and the matter is posted on 06.02.2024, for examination of the prosecution list witnesses.

4.The learned counsel for the petitioner stated that the petitioner has been in incarceration for a considerable period of time. It is stated that the other accused had been granted bail but it is the petitioner who



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had taken a decision to abscond. Therefore, he cannot put the blame on anybody else, but only on himself.

5.Taking all the factors into consideration and in order to provide an opportunity to conduct trial, 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, each for a like sum to the satisfaction of the III Additional District and Sessions Court, Poonamallee, Tiruvallur District, 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 III Additional District and Sessions Court, Poonamallee, Tiruvallur District, 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



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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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To

1. The III Additional District and Sessions Court, Poonamallee,
Tiruvallur.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
T-3, Korattur Police Station,
Chennai District.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



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