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Crl.O.P.No.867 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM

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

Crl.O.P.No.867 of 2024

Manikandan S/o. Subbarayan

... Petitioner/Accused-1

Vs.

The State represented by
The Inspector of Police,
R.P.F at Perambur Police Station,
Chennai.

(Crime No.15 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in S.C.No.205 of 2022 on the file of
the XX Additional Sessions Court, Chennai in Crime No.15 of 2020 on the
file of the respondent.

For Petitioner : Mr.S.Mohanraj

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



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ORDER

The petitioner/accused in S.C.No.205 of 2022, now pending before the XX Additional Sessions Court at Chennai, seeks bail. Originally, Crime No.15 of 2020 had been registered for the offence under Sections 397, 394 & 506(ii) of IPC r/w 34 of IPC.

2.The petitioner was issued with a Non-bailable warrant on 24.08.2023. He had surrendered on 16.10.2023 and he was taken into custody.

3.It is stated that the trial is underway in the said Court. In view of that particular fact and also taking into consideration the fact that the petitioner had surrendered before the Court, 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 Thousand only) with two sureties, each for a like sum to the satisfaction of the XX Additional Sessions Court, 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.



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[b] the petitioner shall report before the trial Court 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 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.

5.Since the petitioner had surrendered the original two sureties may be retained but they may be directed to execute fresh bonds. If they fail to do so, fresh sureties to be produced.

12.01.2024

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C.V.KARTHIKEYAN, J.
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To

- 1.The XX Additional Sessions Court, Chennai.
- 2.The Inspector of Police,
R.P.F at Perambur Police Station,
Chennai.
- 3.Central Prison – II, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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