



Crl.O.P.No.896 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

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

**Crl.O.P.No.896 of 2024**

Rahul @ Rajkumar

...Petitioner/Accused

Vs.

State represented by  
The Inspector of Police,  
E-1, Mylapore Police Station,  
Chennai.

(Crime No.628 of 2017)

...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.389 of 2019 on the file of the XVII Additional Sessions Court, Chennai, on such terms and conditions.

For Petitioner : Mr.Ilayaraja Kandasamy

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



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## ORDER

The petitioner/A1 in Crime No.628 of 2017, registered by the respondent for the offences under Sections 341, 294(b), 324, 307, 506(II) r/w 34 of IPC, seeks bail.

2.The petitioner had been originally remanded to custody on 04.04.2017 and subsequently, on completion of investigation, final report has been filed and the matter is now pending trial in S.C.No.389 of 2019 before the XVII Additional Sessions Court, Chennai.

3.The second accused had died pending the proceedings. As against this petitioner Non-bailable warrant was issued on 03.09.2022 and he was taken into custody on 20.11.2023.

4.It is stated that there are as many as 11 previous cases against the petitioner herein but however, taking into consideration the fact that opportunity will have to be given to the petitioner to defend his case



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during the course of trial, I am inclined to grant bail to the petitioner subject to the following conditions:

5. 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 XVII 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.

**[b] the petitioner shall appear 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.



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[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 XVII Additional Sessions Court, Chennai.
2. The Central Prison, Puzhal-II, Chennai.
3. The Inspector of Police,  
E-1, Mylapore Police Station,  
Chennai.
4. The Public Prosecutor,  
High Court of Madras.



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**C.V.KARTHIKEYAN. J.**

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