



Crl.O.P.No.1014 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

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

Crl.O.P.No.1014 of 2024

Akash S/o. Santhanakumar

...Petitioner/Accused-2

Vs.

State represented by
The Inspector of Police,
D-5, Marina Police Station,
Chennai.

(Crime No.35 of 2022)

...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.254 of 2022 on the file of the learned VI Additional City Civil Court, Chennai, on such terms and conditions.

For Petitioner : Mr.S.Kartik

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

ORDER

The petitioner/A2 in S.C.No.254 of 2022, now pending before the VI Additional City Civil Court, Chennai, seeks bail. Originally, Crime



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No.35 of 2022 had been registered by the respondent for the offences under Sections 147, 148, 341, 302, 506(ii), 120(b) r/w 109 of IPC.

2.After filing charge sheet and after committal, the matter is now pending in S.C.No.254 of 2022 before the VI Additional City Civil Court, Chennai.

3.It is stated that a Non-bailable warrant had been issued against the petitioner on 20.10.2023 and it was executed on 20.11.2023. The learned counsel for the petitioner stated that the petitioner had been suffered with an accident and could not appear before the Court.

4.At any rate, it is seen that all the other accused are appearing before the Court and the matter is listed for case of the prosecution.

5.Taking into consideration all these factors and in order to provide an opportunity to the petitioner to defend his case, 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 sureties, each for a like sum to the satisfaction



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of the VI Additional City Civil 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 VI Additional City Civil Court, Chennai, on every Monday 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.

24.01.2024

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C.V.KARTHIKEYAN. J.



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To



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1. The VI Additional City Civil Court, Chennai.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
D-5, Marina Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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