



Crl.O.P.No.1405 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM

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

Crl.O.P.No.1405 of 2024

Sagayam @ Devasagayam

...Petitioner

Vs.

State represented by
The Inspector of Police,
D-1, Triplicane Police Station,
Chennai 5.
(Crime No.509 of 2011)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in S.C.No.102 of 2020 pending trial before the learned XXI Additional Sessions Judge, Chennai in Crime No.509 of 2011 on the file of the respondent Police.

For petitioner : Mr.P.Pugalenth

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



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ORDER

A memo which has been filed by the petitioner is recorded and the Registry is directed to carry out corrections in paragraph No.10 in the petition as this is the second bail application instead of the first bail application.

2. The petitioner who is arrayed as A1 in S.C.No.102 of 2020 pending before the learned XXI Additional Sessions Judge, Chennai, seeks bail.

3. Originally, crime No.509 of 2011 had been registered by the respondent Police for the offences under Sections 147, 148, 341, 294(b), 323, 307, 302 and 506(ii) IPC r/w 34 of IPC.

4. Non Bailable Warrant was issued against the petitioner on 30.06.2022. The petitioner was arrested in some other case on 24.03.2023. Thereafter, formal arrest was effected in this particular case on 17.04.2023. Similarly, Non Bailable Warrant was also issued against A2.

5. The learned Government Advocate (crl.side) on instructions stated that A2 has also been secured at Andhra Pradesh and yet to bring him back to appear before the Court in S.C.No.102 of 2020. A3 is



appearing before the Court regularly. There are 24 previous cases against the petitioner.

6. The learned counsel for the petitioner stated that in most of the cases, the petitioner had been acquitted from all the charges.

7. It is hoped that the accused would co-operate during the course of trial.

8. Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

9. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, out of which, **one must be a blood surety and another must be a solvent surety, which should be tested by the learned XXI Additional Sessions Judge, Chennai**, each for a like sum to the satisfaction of the learned XXI Additional Sessions Judge, 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



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Bank pass Book to ensure their identity.

[b] the petitioner shall report before the XXI Additional Sessions Judge, Chennai, on every Monday, Wednesday and Friday at 10.30 a.m., apart from the Court hearing dates, till completion of the trial.

[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.

20.02.2024

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To

1. The XXI Additional Sessions Judge, Chennai.
2. The Central Prison-2, Puzhal.
3. The Inspector of Police,
D-1, Triplicane Police Station,
Chennai 5.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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