



Crl.O.P.No.1449 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

CORAM

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

Crl.O.P.No.1449 of 2024

V.Velu

...Petitioner/Accused-2

Vs.

State represented by
The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai-30.

(Crime No.1235 of 2012)

...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.237 of 2023 on the file of the XX Additional Sessions Judge at Chennai, on such terms and conditions.

For Petitioner : Mr.S.Sugumar

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



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ORDER

The petitioner/A2 in S.C.No.237 of 2023, now pending before the XX Additional Sessions Judge at Chennai, seeks bail. Originally, Crime No.1235 of 2012 had been registered by the respondent for the offences under Sections 341, 324, 307, 114 r/w 34 of IPC.

2.Since the petitioner did not appear before the Court a Non-bailable Warrant had been issued on 26.07.2023 and it had been executed on 21.08.2023.

3.It is stated that the matter is now posted for examination of prosecution list witnesses.

4.Taking all the factors into consideration and in order to give an opportunity to the petitioner to defend his case, I am inclined to grant bail to the petitioner with certain 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 (one surety must be blood relative of the petitioner), each for a like sum to the satisfaction of the XX Additional Sessions Judge, Chennai, and on further conditions that: -



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[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 XX Additional Sessions Judge at 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.

29.01.2024

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C.V.KARTHIKEYAN. J.

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To

1. The XX Additional Sessions Judge, Chennai.
2. The Superintendent,
Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai-30.
4. The Public Prosecutor,
High Court of Madras.

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