



WEB COPY



Crl.O.P.No.2257 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM

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

Crl.O.P.No.2257 of 2024

Ganesh @ Racer Ganesh

... Petitioner

Vs.

The State represented by  
The Inspector of Police,  
H-3, Thondaiarpur Police Station,  
Chennai.  
Crime No.254 of 2023

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
prayed to enlarge the petitioner on bail in Crime No.254 of 2023 on the file of  
the respondent Police.

For Petitioner : Mr.S.Senthil Kumar

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

### **ORDER**

The petitioner/A4 who was arrested and remanded to judicial  
custody on 19.10.2023 for the offences registered under Sections 395 r/w 397  
and 506(ii) of IPC in Crime No.254 of 2023 on the file of the respondent



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Police, seeks bail.

2.It is the case of the prosecution that the accused dashed against the two wheeler of the defacto complainant and robbed a sum of Rs.8,00,000/- from him.

3.The learned counsel for the petitioner/A4 stated that A2 and A3 had been granted bail.

4.The learned Government Advocate (crl.side) stated that there has also been recovery of money. A1 and A5 had been detained under Act 14 of 1982. There are 24 previous cases against the petitioner.

5.However taking the facts of this case which should be looked in an isolated manner and also considering the period of incarceration, 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 of the learned XV Metropolitan Magistrate, George Town, Chennai and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb



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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 report before the respondent Police, everyday at 10.30 a.m., until further orders.**

[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.

**14.02.2024**

vkf

To

1.The XV Metropolitan Magistrate, George Town, Chennai.

2.The Central Prison II, Puzhal, Chennai.



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

Vkr

3.The Inspector of Police,  
H-3, Thondaiarpur Police Station,  
Chennai.

4. The Public Prosecutor, High Court of Madras.

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