



CrI.O.P.No.2342 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

CORAM

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

CrI.O.P.No.2342 of 2024

Santhosh

... Petitioner

Vs.

The State represented by
The Inspector of Police,
H-1 Washermenpet Police Station,
Chennai
Crime No.49 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.49 of 2024 on the file of
the respondent Police.

For Petitioner : Mr.D.Ashokkumar

For Respondent : Mr.L.Baskaran
Government Advocate

ORDER

The petitioner/A3 who was arrested and remanded to judicial
custody on 25.01.2024 for the offences registered under Sections 399 r/w 402



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of IPC and 8(c) r/w 20(b)(ii)(A), 25 & 29(1) of NDPS Act, in Crime No.49 of 2024, on the file of the respondent Police, seeks bail.

2.It is stated that when the respondent had conducted a vehicle checkup at Nallappa Vathiyar Street, near Perumal Temple, they found a group of people using ganja in road side and planning theft in a jewelry shop.

3.The learned Government Advocate (crl.side) state that except for A6, the other accused have been secured.

4.The learned counsel for the petitioner stated that the arrested accused have been either granted bail or anticipatory bail.

5.Taking all the factors into consideration and 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 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



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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.

07.02.2024

vkr

To

- 1.The XV Metropolitan Magistrate, George Town.
- 2.The Inspector of Police,
H-1 Washermenpet Police Station,
Chennai
- 3.The Central Prison, Puzhal.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN,J.

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