



Crl.O.P.No.3101 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

CORAM

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

Crl.O.P.No.3101 of 2024

V.Santhoshkumar

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
E-3, Teynampet Police Station,
Chennai.

(Crime No.342 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in Crime No.342 of 2023 on the file of the respondent, on such terms and conditions.

For Petitioner : Mr.S.Raj

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



Crl.O.P.No.3101 of 2024

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ORDER

The petitioner/A2 in Crime No.342 of 2023, registered by the respondent police for the offences under Sections 341, 294(b), 336, 427, 392, 397 and 506(ii) of IPC, seeks bail. The petitioner had been remanded to judicial custody on 28.12.2023.

2.It is stated that A1 had already been granted bail. It is stated that both the accused had waylaid the defacto complainant and robbed a sum of Rs.900/-. It is also stated that there are 19 previous cases against the petitioner but however, a perusal of the list shows that some of them are under Section 75 of City Police Act and only one is of the year 2023 and the rest are previous to that.

3.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:

4.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 XVIII Metropolitan Magistrate, Saidapet, Chennai, and on further conditions that: -



Crl.O.P.No.3101 of 2024

WEB COPY

[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 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.

13.02.2024

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C.V.KARTHIKEYAN. J.

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To



Crl.O.P.No.3101 of 2024

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1.The XVIII Metropolitan Magistrate, Saidapet, Chennai.

2.Central Prison, Puzhal No.II, Chennai.

3.The Inspector of Police,
E-3, Teynampet Police Station,
Chennai.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.3101 of 2024

13.02.2024