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Crl.O.P.No.3259 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

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

Crl.O.P.No.3259 of 2024

Sarath @ Sarathkumar

... Petitioner

Vs.

The Inspector of Police,  
J-1 Saidapet Police Station,  
Chennai District  
( Crime No.04 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.04 of 2024 on the file of  
the respondent.

For Petitioner : Mr.P. Muthamizh selvakumar

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

**ORDER**

The petitioner, who was arrested and remanded to judicial custody  
on 04.01.2024, for the offences registered under Sections 341,294(b),323,397  
and 506(2) of I.P.C, in Crime No.04 of 2024 on the file of the respondent  
Police, seeks bail.

2. The case of the prosecution is that the petitioner waylaid the



defacto complainant at knife point and robbed a sum of Rs.300/- from him.

3. The learned Government Advocate for the respondent submitted that there are 13 previous case pending against the petitioner.

4. The leaned counsel for the petitioner submitted that in most of the cases he has been acquitted.

5. Taking into consideration the period of incarceration, I am inclined to grant bail to the petitioner subject to the following 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 sureties, each for a like sum to the satisfaction of the learned **IX Metropolitan Magistrate Court-Saidapet** 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 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.



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[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.

**21.02.2024**

smn

To

**1.The IX Metropolitan Magistrate Court-Saidapet**

2.The Inspector of Police,  
J-1 Saidapet Police Station,  
Chennai District.( Crime No.04 of 2024)

3.The Central Prison, Puzhal, Chennai.

4. The Public Prosecutor, High Court of Madras.



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

smn

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