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Crl.O.P.No.3583 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

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

Crl.O.P.No.3583 of 2024

K.Ajay @ Ajay Raghul

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Adyar, Chennai.
(Crime No.301 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.301 of 2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.B.Gowtham

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

ORDER

The petitioner/A2 in Crime No.301 of 2023, registered by the respondent police for the offence under Section 392 of IPC, with respect



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to an occurrence which took place on 02.08.2023 and remanded to judicial custody on 28.12.2024, seeks bail.

2. There were three accused and it is the case of the prosecution that they had robbed the mobile phone from the defacto complainant. It is stated that there are eight previous cases against the petitioner herein and A1 and A3 are still in custody.

3. Taking all the factors into consideration, 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, 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.



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[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.

15.02.2024

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C.V.KARTHIKEYAN. J.

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To

1. The XVIII Metropolitan Magistrate, Saidapet.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Adyar, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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