



Crl.O.P.No.4347 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM

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

Crl.O.P.No.4347 of 2024

Shallam @ Abdul Shallam

...petitioner

Vs.

State represented by
The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.
Crime No.57 of 2019.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in S.C.No.197 of 2022 on the file of the learned VII Additional Sessions Judge, Chennai.

For petitioner : Mr.M.Illiyas

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)

ORDER

The petitioner is arrayed as A1 in S.C.No.197 of 2022 now pending before the learned VII Additional Sessions Judge, Chennai seeks



bail.

2.Originally Crime No.57 of 2019 had been registered by the respondent Police for the offences under Sections 294(b), 392 r/w 427, 397, 506(ii) of IPC.

3.Non Bailable Warrant was issued against the petitioner on 01.06.2023 and the petitioner was remanded to judicial custody on 02.12.2023.

4.After committal, the matter is now pending trial before the learned VII Additional Sessions Judge, Chennai in S.C.No.197 of 2022. A2 is also in custody.

5.The learned Government Advocate (crl.side) stated that necessary steps to produce A2 has been taken since he has been arrested in some other offence.

6.Taking all these factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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each with two sureties, each for a like sum to the satisfaction of the learned VII Additional Sessions Judge, Chennai 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 VII Additional Sessions Judge, Chennai, on every Monday at 10.30 a.m., apart from the Court hearing dates, till completion of the trial.

[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].



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 229A IPC.

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To

1. The VII Additional Sessions Judge, Chennai.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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