



Crl.O.P.No.4076 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

CORAM

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

Crl.O.P.No.4076 of 2024

Balu

...petitioner

Vs.

State represented by
The Inspector of Police,
V-1, Villivakkam Police Station,
Chennai
Crime No.525 of 2010

...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.217 of 2018 in Crime No.525 of 2010 pending on the file of the XXI Additional Sessions Judge, Chennai.

For petitioner : Mr.R.Muthukumar

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

ORDER

The petitioner/A3 is an accused in S.C.No.217 of 2018 now pending before the XXI Additional Sessions Judge, Chennai.



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2. Originally, Crime No.525 of 2010 had been registered by the respondent Police under Sections 341, 392, 397, 336, 427 and 506(ii) of IPC.

3.The petitioner had been remanded to judicial custody on 22.11.2023 on execution of Non Bailable Warrant which was issued against him on 16.03.2021.

4.The learned Government Advocate (crl.side) stated that A2 died. A1 is regularly appearing before the Court. It had also been stated that the charges have been framed by the XXI Additional Sessions Judge, Chennai.

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

6.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) each with two sureties, each for a like sum to the satisfaction of the learned XXI Additional Sessions Judge, Chennai and on further conditions that :-



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[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 learned XXI Additional Sessions Judge, Chennai, on every Monday and Friday 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].

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

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C.V.KARTHIKEYAN. J.

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To

1. The XXI Additional Sessions Judge, Chennai.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
V-1, Villivakkam Police Station,
Chennai.
4. The Public Prosecutor, High Court of Madras.

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