



CrI.O.P.No.6133 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM

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

CrI.O.P.No.6133 of 2024

Sagayam @ Devasagayam

..Petitioner

Vs.

State represented by
The Inspector of Police,
G7, Chetpet Police Station,
Chennai.
(Crime No.925 of 2017).
...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.189 of 2019 pending trial before the XXIII Additional Sessions Judge, Chennai in Crime No.925 of 2017 on the file of the respondent Police.

For petitioner : Mr.P.Pugalenth

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

ORDER

The petitioner/A1 seeks bail in S.C.No.189 of 2019 now pending



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trial before the XXIII Additional Sessions Judge, Chennai.

2.Originally, Crime No.925 of 2017 had been registered by the respondent Police for the offences under Sections 147, 148, 302 r/w 120B, 149 IPC.

3.The petitioner had been earlier granted bail and he has been often absconding from judicial process. He has absconded last on 16.06.2022 and Non Bailable Warrant was issued and it was executed on 10.03.2023.

4.Non Bailable Warrant is also pending against A3 which has been issued on 14.02.2024.

5.The other accused are either under custody or appearing before the Court.

6.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:

7.Accordingly, the petitioner is ordered to be released on bail on condition to execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, (out of which, one must be a



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blood related surety) each for a like sum to the satisfaction of the XXIII

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 XXIII Additional Sessions Judge, Chennai, everyday, till completion of the trial.

[c] Apart from the sureties, the petitioner must also execute a bond under Section 88 of Cr.P.C for appearance before the Court.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

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To

- 1.The XXIII Additional Sessions Judge, Chennai.
2. The Central Prison II, Puzhal.
- 3.The Inspector of Police,
G7, Chetpet Police Station,
Chennai.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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