



Crl.O.P.No.5221 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

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

Crl.O.P.No.5221 of 2024

Charlie @ Charlie John

...petitioner

Vs.

State represented by
The Inspector of Police,
J-4, Kotturpuram Police Station,
Chennai.
Crime No.103 of 2022

...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.442 of 2023 pending trial on the file of the Principal Sessions Judge, Chennai.

For petitioner : Mr.G.Pandian

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

ORDER

The petitioner is an accused in S.C.No.442 of 2023 now pending trial on the file of the Principal Sessions Judge, Chennai.



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2. Originally, Crime No.103 of 2022 had been registered by the respondent Police under Section 302 of IPC.

3.Let me not enter into the deep discussion about the facts alleged against the petitioner, since the matter is now posted on 14.03.2024 for examination of prosecution witnesses.

4.Evidence will have to be individually assessed by the learned Principal Sessions Judge, Chennai.

5.A Non Bailable Warrant was issued against the petitioner on 20.12.2023 and he had surrendered on 05.01.2024. But however, the surrender application was rejected and the petitioner was remanded to judicial custody.

6.It is only appropriate since the petitioner, a sole accused, if he again absconds, the trial will never progress. But however, let me also place some restrictions on the petitioner and therefore, I am 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) each with two sureties, (out of which, one must be a blood surety) each for a like sum to the satisfaction of the learned Principal Sessions Judge,



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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 Principal Sessions Judge, Chennai on every Monday and Friday, apart from the Court hearing dates, till the 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



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can be registered under Section 229A IPC.

04.03.2024

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To

1. The Principal Sessions Judge, Chennai.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
J-4, Kotturpuram Police Station,
Chennai.
4. The Public Prosecutor, High Court of Madras.

C.V.KARTHIKEYAN. J.

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