



Crl.O.P.No.5690 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

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

Crl.O.P.No.5690 of 2024

Elakkiyaraj

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Thiruvenkadu Police Station,
Mayiladuthurai District.
(Crime No.219 of 2023).

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in P.R.C.No.6 of 2024 on the file
of the Judicial Magistrate, Sirkazhi, Mayiladuthurai District.

For Petitioner : Mr.M. Vijaya Ragavan

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



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ORDER

The petitioner / accused seeks bail in P.R.C.No.6 of 2024 now pending trial before the learned Judicial Magistrate, Sirkazhi, Mayiladuthurai District.

2.Originally, the petitioner was arrested and remanded to judicial custody on 27.11.2023 for the offences punishable under Sections 294(b), 386, 506(ii) and 307 of IPC r/w Section 25(1)(b), 27(2) of Arms Act in Crime No.219 of 2023 on the file of the respondent.

3.It is stated that the petitioner, who has 24 previous cases against him, went over to a Tea shop and asked for tea without paying money and also extorted Rs.200/- at knife point. It is also stated that detention order was passed against the petitioner, but that was set aside by the Advisory Board.

4.Taking all the factors into consideration and the period of incarceration suffered by the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on bail on



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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 learned Judicial Magistrate, Sirkazhi, Mayiladuthurai District, 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 appear before the trial Court everyday 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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C.V.KARTHIKEYAN. J.

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

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smv

To

1. The Judicial Magistrate, Sirkazhi, Mayiladuthurai District.
2. The Central Prison, Trichy.
3. The Inspector of Police,
Thiruvankadu Police Station,
Mayiladuthurai District.
4. The Public Prosecutor,
High Court of Madras.

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