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Crl.O.P.No. 6363 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM

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

Crl.O.P.No.6363 of 2024

Sivakumar

... Petitioner

Vs.

The State rep. by:-
The Inspector of Police,
K-4 Anna Nagar Police Station,
Chennai.
(Crime No. 1092 of 2017)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner / Accused on bail pending trial in S.C.No.60
of 2018 on the file of the XIX Additional Sessions Judge, Chennai.

For Petitioner : Mr.R.Muthukumar

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

ORDER

The petitioner/A1 seeks bail in S.C.No.60 of 2018 now pending
trial before the learned XIX Additional Sessions Judge, Chennai.



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2.Originally, Crime No.1092 of 2017 had been registered by the respondent Police for the offence under Sections 341, 294(b), 326, 307, 506(ii) IPC r/w 34 IPC.

3.It is stated that Non Bailable Warrant was issued against the petitioner on 14.02.2024. He had surrendered before the Court on 19.02.2024 and he had been remanded into custody.

4.Taking into consideration the period of incarceration and to afford opportunity to the petitioner for conducting trial, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on 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 XIX 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 learned XIX Additional Sessions Judge, Chennai, every Monday, apart from the Court hearing dates, till completion of the



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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.

19.03.2024

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To

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



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C.V.KARTHIKEYAN, J.

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