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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.7917 of 2024

Kathir @ Kathiravan

... Petitioner

Vs.

State Rep by.
The Inspector of Police
H-6, R.K. Nagar Police Station,
Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge him on bail pending investigation of the case connected
with the crime No. 185 of 2024(on the file of the Inspector of Police, H-6,
R.K. Nagar Police Station, Chennai.).

For Petitioner : Mr.M.Illiyas
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.03.2024 for the alleged offences punishable under Sections Section 399, 402 IPC in crime No. 185 of 2024 on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons were standing along with knives and wooden articlees with their hands for preparing commit dacoity at locked shop and house. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. On the other side, the learned Government Advocate (Crl. side) submits that there are 12 previous case pending against the petitioner.

4. Considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned XV Metropolitan Magistrate, G.T, 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 stay at Thiruvallur and report before Town Police Station daily at 10.30 a.m., for a period of two months.

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

08.04.2024

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T.V.THAMILSELVI,J.

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To

1. The **XV Metropolitan Magistrate, G.T, Chennai.**

2. The Inspector of Police
H-6, R.K. Nagar Police Station,
Chennai.

3. The Central Prison, Puzhal.

4. The Inspector of Police, Thiruvallur Town Police Station.

5. The Public Prosecutor,
High Court of Madras.

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