



CrI.O.P.No.9880 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2024

CORAM

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

CrI.O.P.No.9880 of 2024

Bala @ Balasubramaniam

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
E-5 Sholavaram Police Station,
Thiruvallur District.
(Crime No.114 of 2024)

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.114 of 2024 on the
file of the respondent police.

For Petitioner : Mr.K.Ilayaraja

For Respondent : Mr.V.J.Priyadarsana
Govt. Advocate (CrI. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.02.2024 for the offence punishable under Sections 294(b), 392, 397, 506(ii) of IPC in Crime No.114 of 2024 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the accused had waylaid the defacto complainant and demanded money and on refusal, had taken away a sum of Rs.720/- and threatened him. There is yet another case which has been registered against the petitioner on 15.03.2024 in FIR in Crime No.249 of 2024 registered under Sections 342, 294(b), 392, 506(ii) and 397 IPC, wherein, this petitioner had waylaid the defacto complainant and directed transfer of Rs.10,000/- by googlepay to the account of this petitioner.

3.The earlier petition seeking bail was dismissed on 18.03.2024 in Crl.O.P.No.6566 of 2024. After that particular date, there has been substantial progress in the investigation, which has been practically completed.



4.Taking all these factors into consideration and also considering 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 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 – II, Ponneri, 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 respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[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



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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.

23.04.2024

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To

1. The Judicial Magistrate – II, Ponneri.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
E-5 Sholavaram Police Station,
Thiruvallur District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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