



WEB COPY



Crl.O.P.No.24882 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

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

Crl.O.P.No.24882 of 2023

Johny @ John Paulraj

... Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Vellore North Crime Police Station,
Vellore District.
(Crime No. 86 of 2018)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.86 of 2018 on the file of
the respondent.

For Petitioner : Mr.R. Sasikumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 30.11.2020, for the offences registered under Sections 294(b),
341,392,397 and 506(ii) of I.P.C, in Crime No.86 of 2018 on the file of the
respondent Police, seeks bail.



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2. The case of the prosecution is that the petitioner along with other accused waylaid the defacto complainant and robbed a sum of Rs.3,000/- from him. Hence, the complaint.

3. The learned Government Advocate(crl side) raised an objection stating that there are 50 cases pending against him and he has also filed a counter affidavit which contains the details of the cases.

4. It is stated by the learned counsel for the petitioner that in most of the previous cases, the petitioner was granted bail.

5. In the counter it is seen that in 11 cases the petitioner had been acquitted and in all the other cases , trial is pending.

6.Taking into consideration the period of incarceration, 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 condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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only) with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate No, IV Vellore** 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]After the petitioner is released on bail in all the pending cases , he shall report before the respondent police everyday at 10.30 a.m., until further orders.

[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.

19.02.2024

smn



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To

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- 1.The **Judicial Magistrate No.IV, Vellore**
- 2.The Inspector of Police,
Vellore North Crime Police Station,
Vellore District. (Crime No. 86 of 2018)
- 3.The Central Prison, Cuddalore
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

smn

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