



WEB COPY



CrI.O.P.No.28548 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2024

CORAM

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

CrI.O.P.No.28548 of 2023

Soochi @ Suresh

... Petitioner

Vs.

The State represented by
The Inspector of Police,
P-5 MKB Nagar Police Station,
Chennai.
Crime No.775 of 2013

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in S.C.No.186 of 2021 now pending
before the XXII Additional Sessions Judge, Allikulam, Chennai in Crime
No.775 of 2013 on the file of the respondent Police.

For Petitioner : Mr.J.P.Ravivarman

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

ORDER

The petitioner is A2 in S.C.No.186 of 2021, now pending before
the learned XXII Additional Sessions Judge, Allikulam, Chennai, seeks bail.



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Originally, Crime No.775 of 2013 had been registered by the respondent for the offences under Sections 147, 148, 336, 427, 302 r/w 149 of IPC.

2.The petitioner had absconded from judicial process necessitating the issuance of Non-bailable Warrant on 06.10.2021 and after more than two years, he was secured only on 04.11.2023. Owing to his absence, there is no progress with the case.

3.It is stated by the learned Government Advocate (Crl. Side) for the respondent that there are totally 11 accused and now all the accused are appearing before the Court. There are 8 previous cases against the petitioner.

4.Taking all these factors into consideration and also to provide opportunity to participate during the trial, 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, (out of which, one should be the blood surety of the petitioner) each for a like sum to the satisfaction of the learned XXII 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



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Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioner shall report before the learned XXII Sessions Judge, Chennai, on every Monday and 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].

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

03.01.2024

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To

- 1.The XXII Sessions Judge, Chennai.
- 2.The Inspector of Police,
P-5 MKB Nagar Police Station,
Chennai.
- 3.The Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

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