



WEB COPY



Crl.O.P.No.30621 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.30621 of 2024

Syan Murugan @ Murugan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
H-4, Korukkupet Police Station,
Chennai.

(Crime No.21 of 2021)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in
S.C.No.24 of 2022 on the file of the learned III Additional Sessions Judge,
Chennai, in connection with Crime No.21 of 2021 on the file of the
respondent Police.

For Petitioner : Mr.A.Venkateswara Babu

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of S.C.No.24 of 2022 pending on
the file of the learned III Additional Sessions Judge, Chennai, in connection



Crl.O.P.No.30621 of 2024

with Crime No.21 of 2021 registered for the offences punishable under Sections 392 r/w 397, 509(ii) r/w 34 of IPC, is on board for consideration.

2. Learned counsel for the petitioner submits that the petitioner, who is arrayed as A1, is facing trial in S.C.No.24 of 2022 pending on the file of the learned III Additional Sessions Judge, Chennai. He further submits that since the petitioner was suffering from viral fever, he was unable to appear before the trial Court on 27.06.2024, thereby, the trial Court has issued a Non Bailable Warrant of arrest against him and when the petitioner was taking steps to recall the warrant, he was arrested on 09.08.2024 pursuant to the Crime No.349 of 2024 and later, formally arrested in this case on 30.08.2024. He also undertakes that the petitioner will appear before the trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the trial. Hence, he prayed for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent, while objecting for grant of bail, submits that the petitioner/A1, who is facing trial in S.C.No.24 of 2022 before the III Additional Sessions Court, Chennai, has failed to appear before the trial Court on 27.06.2024,



Crl.O.P.No.30621 of 2024

thereby, the trial Judge has issued a Non-Bailable Warrant of arrest against him and the same was executed on 30.08.2024. He further submits that the case in S.C.No.24 of 2022 stands posted on 12.12.2024 for summoning LW1 to LW3. He also submits that the petitioner is a history sheeted rowdy, having 14 previous cases.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, including the counter filed by the respondent and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties** (out of which, one surety should be a blood related surety), each for a like sum to the satisfaction of the learned **III 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



CrI.O.P.No.30621 of 2024

Bank pass Book to ensure their identity;

[b] the petitioner shall appear before the learned III Additional Sessions Judge, Chennai, on all working days at 10.30 a.m., until further orders and he shall also report before the respondent Police on every Saturday at 6.30p.m., until further orders;

[c] the petitioner shall not abscond during trial and shall co-operate for speedy disposal of the trial;

[d] the petitioner shall not tamper with evidence or witness during 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 269 of B.N.S.

09.12.2024

ham



Crl.O.P.No.30621 of 2024

To
WEB COPY

1. The III Additional Sessions Judge,
Chennai .
2. The Inspector of Police,
H-4, Korukkupet Police Station,
Chennai.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.30621 of 2024

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.No.30621 of 2024

09.12.2024