

(2024) 02 MAD CK 0056

Madras High Court

Case No: Criminal Original Petition No. 1571 Of 2024

Murugan

APPELLANT

Vs

Inspector Of Police

RESPONDENT

Date of Decision: Feb. 12, 2024

Acts Referred:

- Indian Penal Code, 1860 - Section 34, 109, 120B, 147, 148, 201, 229A, 302, 307, 326, 449, 452

Hon'ble Judges: C.V.Karthikeyan, J

Bench: Single Bench

Advocate: G. Yuvaraj, L.Baskaran

Judgement

C.V.Karthikeyan, J

1. The petitioner in S.C.No.26 of 2023, now pending before the VII Additional Sessions Judge, Chennai, seeks bail for the offences registered by the respondent police under Sections 147,148,449,452,326,307,302,120B,109,201 r/w 34 of I.P.C in Crime No.59 of 2021.

2.The petitioner was remanded to judicial custody on 13.06.2023 on execution of Non Bailable Warrant seeks bail.

3. It is stated that there are totally 15 accused in this case and all of them has been granted bail in some way or other. It is stated that after completion of investigation final report has been filed and the matter is now pending in S.C.No.26 of 2023 before the VII Additional Sessions Judge, Chennai.

4.Taking all factors into consideration and also the fact that the petitioner should be given an opportunity to defend during the trial process 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 his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two fresh sureties, each for a like sum to the satisfaction of the learned VII Additional Sessions, Judge, Chennai and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the learned VII Additional Sessions, Judge, Chennai where S.C.No.26 of 2023 is pending everyday at 10.30 a.m., till completion of trial, apart from the Court hearing dates.

[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.