

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.05.2021

CORAM :

THE HON'BLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.Nos.7660 and 7663 of 2021

Sekar

... Petitioner in Crl.O.P.No.7660/2021

1. Subash

2. Yogesh

... Petitioners in Crl.O.P.No.7663/2021

Vs.

State Rep. by

The Inspector of Police,
P.3 Vyasarpadi Police Station,
Chennai District.

(Crime No.170 of 2021)

... Respondent in both Crl.O.Ps.

PRAYER: Criminal Original Petitions are filed under Section 439 of Criminal Procedure Code to enlarge the petitioners on bail pending investigation in Crime No.170 of 2021 on the file of the Respondent Police.

For Petitioners : Mr.S.N.Arunkumar

For Respondent : Mr.Charles Premkumar,
Government Advocate

C O M M O N O R D E R

(The case has been heard through video conference)

Heard the learned Counsel on either side.

2. The Petitioners are in custody since 22.03.2021 for the offences punishable under Sections 341, 294(b), 427, 307 and 506(ii) of IPC in Crime No.170 of 2021.

3. The petitioners are not having any bad antecedents. The injured has already been discharged from the hospital. Hence bail is granted subject to the following conditions:

(a) the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned X Metropolitan Magistrate, Egmore, Chennai, and on further conditions that:

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police every day at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation ;

(d) the petitioners shall not commit any offences of similar nature;

(e) the petitioners shall not abscond either during investigation or trial;

(f) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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];

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC; and

4. With the above directions, this Criminal Original Petition is ordered.

-sd/-

05/05/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

सत्यमेव जयते

Sub-Assistant Registrar (Statistics/C.S.)

High Court, Madras - 600 104.

WEB COPY

TO

1 X METROPOLITAN MAGISTRATE
EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
P-3, VYASARPADI POLICE STATION,
CHENNAI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

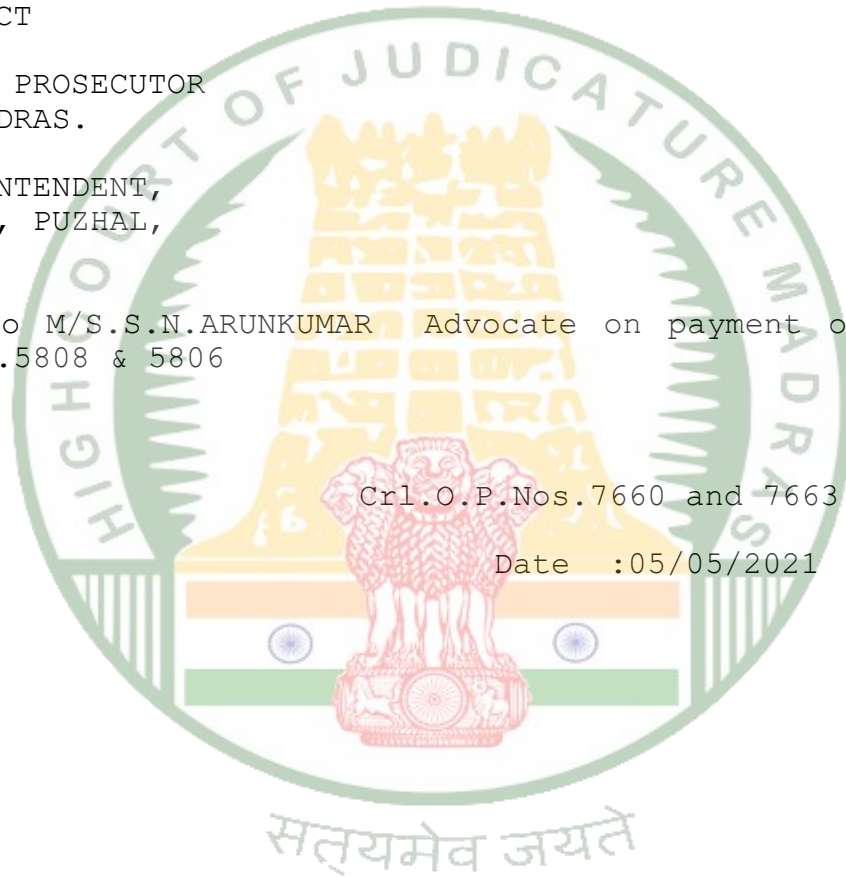
5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI

+2 CC to M/S.S.N.ARUNKUMAR Advocate on payment of necessary
charges SR.Nos.5808 & 5806

CrI.O.P.Nos.7660 and 7663 of 2021

Date :05/05/2021

RVR 06/05/2021



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