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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.12927 of 2021

1.T.Kumar
2.Killivalavan
3.Sudharasan

... Petitioners

Vs.

State rep. by
The Inspector of Police,
F-2, Egmore Police Station,
Chennai - 600 008.
(Crime No.522 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioners on bail in Crime No.522 of 2021 on the file of the respondent police.

For Petitioners : Ms.S.Deepika

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioners who were arrested and remanded to judicial custody on 07.07.2021 for the offence under Sections 147 and 364 of I.P.C. in Crime No.522 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioners are alleged to have abducted the defacto complainant.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. The learned counsel further submitted that initially the petitioners were confined in Sub-Jail, Saidapet and during the pendency of this petition, they were transferred to Central Prison, Puzhal, Chennai.

4.The learned Government Advocate (Criminal Side) submitted that investigation reveals that the defacto complainant had made false promise that he would secure job to the petitioners and had received money from the petitioners and thereafter neither secured job nor returned the money. Hence, the petitioners have abducted the defacto complainant.



5. Considering the facts and circumstances of the case, I am inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned XIV MM, Egmore and on further condition 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) the petitioners shall report before the respondent police, daily at 10.30 a.m. until further orders;

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

(d) the petitioners shall not abscond 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
28/07/2021

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

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE NO.XIV,
EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE CHENNAI.

3 THE OFFICER INCHARGE,
<https://hcservices.ecourts.gov.in/hcservices/>
SUB JAIL, SAIDAPET.



4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI.

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5 THE INSPECTOR OF POLICE,
F-2, EGMORE POLICE STATION,
CHENNAI - 600 008.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. S.DEEPIKA Advocate on payment of necessary
charges SR.NO.7809.

CRL OP.12927/2021

Date :28/07/2021

INBA 29/07/2021