



Crl.OP.No.17887 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.OP.No.17887 of 2022

Rajesh Sundar

...Petitioner

Vs.

State Rep. By its:
The Inspector of Police,
J.J. Nagar Police Station,
Anna Nagar District, Chennai.
(Crime No.147/2021)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail pending investigation in Crime No.147/2022 on the file of the respondent police.

For Petitioner : Mr.R.Vivekananthan

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was surrendered and remanded to judicial custody on 06.06.2022 for the offences punishable under Sections 341, 147, 148, 294(b) and 302 of IPC in crime No.147 of 2021 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that petitioner along with other accused persons assaulted the victim with knife and he died. Hence, the case.

3. As far as the petitioner is concerned, he waylaid the deceased and prevented him to escape.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e.06.06.2022, this Court is inclined to grant bail to the petitioner. 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 sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Ambattur** 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 Bank pass Book to ensure their identity.

[b] the petitioner shall stay at Vellore and report before the Inspector of Police, Sathuvachari Police Station twice daily at 10.30



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a.m. and 5.30 p.m. for a period of two weeks and thereafter report before the respondent police daily at 10.30 a.m., until further orders.

[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.

01.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate,
Ambattur.
- 2.The Inspector of Police,
J.J. Nagar Police Station,
Anna Nagar District, Chennai.
- 3.Central Prison,
Puzhal.
- 4.The Public Prosecutor,
High Court of Madras

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