



Crl.O.P.No.25199 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2022

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

Crl.O.P.No.25199 of 2022

K.Packiaraj

... Petitioner

Vs.

The State Rep. by the
The Inspector of Police,
G-2 Periamet Police Station,
Chennai.

(Crime No.170 of 2022)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on Bail in Crime No.170 of 2022 on the file of
the respondent police G-2 Periamet Police Station, Chennai considering the
facts and circumstances of the case.

For Petitioner : Mr.V.S.Senthilkumar

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.side)



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granted bail in the said crime number with certain conditions. He would further submit that the petitioner is in custody from 25.08.2022 and hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is a habitual offender against whom there are three previous cases pending. Hence, he oppose to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Taking into consideration the facts and the submissions made by the learned Counsel for the petitioner and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned II Metropolitan Magistrate, Egmore, 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 Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 1.30 p.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



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in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];**

[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 229A IPC.

18.10.2022

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To

1. The II Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
G-2 Periamet Police Station,
Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA,J.

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