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Crl.O.P.No.6693 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.03.2023

CORAM:

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

Crl.O.P.No.6693 of 2023

Murugan

.. Petitioner

/versus/

The State rep.by
The Inspector of Police,
W-5, All Woman Police Station,
Vepery, Chennai.
(Crime No.07 of 2022)

.. Respondent

Prayer: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code, praying to enlarge the petitioner on bail pending investigation in Crime No.07 of 2022 on the file of the respondent police.

For petitioner : Mr.Mohammed Aasif

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

For Defacto
complainant : M/s.Udaya Sankari,
Party in person



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ORDER

The petitioner, who was arrested in Crime No.7 of 2022, which was initiated on the basis of a complaint lodged by the de facto complainant that he broke open the doors of her house, committed theft and criminally intimidated her, has already been granted interim bail by this court by order dated 24.3.2023, till 30.3.2023 on an amicable understanding between the petitioner and the de facto complainant that the petitioner would hand over all the articles taken by him in the event of his coming out on interim bail.

2. The matter has been listed today under the caption "for Reporting Compliance".

3. When the matter has been taken up for hearing with regard to compliance of the undertaking, the learned counsel for the petitioner submitted that the petitioner had duly complied with the undertaking given by him by handing over all the articles taken by him from the house of the de facto complainant and the same has been affirmed by the de facto complainant, who has been present in the court and expressed no



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objection for making the interim bail absolute.

4. In view of the compliance reported and the expression of no objection reported by the de facto complainant, the interim bail already granted by this court is made absolute.

5. Accordingly, the interim bail granted to the petitioner by this court on 24.3.2023 is made absolute on the following conditions:-

6. 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**, for a like sum to the satisfaction of the **learned Additional Mahila Judge, 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 as and when required for**



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interrogation;

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

31.03.2023

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To

1.The Additional Mahila Judge,



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Egmore, Chennai.

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2.The Inspector of Police,
W-5, All Woman Police Station,
Vepery, Chennai.

3.The Central Prison,
Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.

A.D.JAGADISH CHANDIRA,J.



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