



Crl.OP.No.11893 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.05.2023

CORAM

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

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1.V.Srinivasan

2.Venkatesan

... Petitioners

Vs.

State: Inspector of Police

R 4 Soundrapandiyanar Angadi Police Station,
Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the Petitioners on bail in the above Cr.No.77 of 2023 on
the file of the Respondent herein.

For Petitioners : Mr.M.Rajavelu

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.side)



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He would further submit that, as regards the 1st Petitioner, there is no previous case and as regards the 2nd Petitioner, there is one previous case pending against him. Hence, he vehemently opposed to grant bail to the Petitioners.

5. Heard the learned counsel for the Petitioners and the learned Government Advocate (Crl.Side) and perused the materials available on record including the First Information Report.

6. Considering the above facts and circumstances and also considering the period of incarceration suffered by the Petitioners, this Court is inclined to grant bail to the Petitioners with certain conditions:

7. Accordingly, the Petitioners are ordered to be released on bail on their executing a separate 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 XVII M.M. Metropolitan Magistrate Court, Saidapet at Chennai, and on further condition that:



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(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judicial / Metropolitan Magistrate may obtain a copy of their Aadhar card or voter identity card or driving license or PAN card or Bank pass Book with photo affixed and attested by Bank Manager to ensure their identity;

(b) the petitioners shall stay at Vellore and report before the Inspector of Police, Vellore South Police Station, Vellore daily at 10.00 a.m., until further orders. The petitioners shall not enter into the local limits of the respondent police until further orders.

(c) the petitioners shall not influence, threaten or coerce the 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 Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.



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(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge himself/herself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(g) if the Accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

24.05.2023

Mpl/Jeni

To

1. The XVII M.M. Metropolitan Magistrate Court,
Saidapet, Chennai.
2. The Inspector of Police
R 4 Soundrapandiyanar Angadi Police Station,
Chennai.
3. The Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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SATHI KUMAR SUKUMARA KURUP,J.

Mpl/Jeni

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