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CrI.O.P.No.12999 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

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

CrI.O.P.No.12999 of 2023

M.Prabu

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thiru. Vi.Ka. Nagar Police Station,
Perambur, Chennai.

(Crime No.194 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to grant bail to the petitioner in Crime No.194 of 2023 pending
investigation on the file of respondent Police.

For Petitioner : Mr.B.Kalaiarasan

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



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is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that due to the rental dispute, the accused/petitioner had abused the de-facto complainant with a filthy language and assaulted him with wooden log and hands, due to which, he sustained grievous injuries. He also submitted that the injured has been treated as in-patient and he has also been discharged from the hospital on 20.05.2023, however, he vehemently opposed for grant of bail to the petitioner.

5. Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and taking note of the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



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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.10,000/- (Rupees Ten thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned V 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 stay at Usilampatti and report before the Inspector of Police, Usilampatti Town Police Station, everyday 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



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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.

12.06.2023

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To

1. The V Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
Thiru. Vi.Ka. Nagar Police Station,
Perambur, Chennai.
3. The Central Prison,
Puzhal, Chennai.
4. The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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