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Crl.OP.No.14549 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.OP.No.14549 of 2023

Gandhi

..Petitioner

Vs.

The State Rep. By
The Inspector of Police,
G-7, Chetpet Police Station,
Chennai.
Crime No.332 of 2021

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in Crime
No.332 of 2021 on the file of the Respondent Police.

For Petitioner : Mr.N.D.Sathish Raaj

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.06.2023 for the offences punishable under Sections 147, 148, 452, 364A, 397 506(2) of IPC in Crime No.332 of 2021, on the file of the respondent police seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent and he has been falsely implicated in a case registered for the offence under Sections 147, 148, 452, 364A, 397 506(2) of IPC . He further submitted that, co-accused in this case had been granted bail by this Court. Thus, he seeks bail to the petitioner.

3. In response, learned Government Advocate (Crl. Side) submitted that, petitioner along with other accused were involved in kidnapping the father of the defacto complainant for claiming ransom. Hence, he opposed for grant of bail to the petitioner.

4. Considering the fact that this case was registered on



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24.10.2021 and the petitioner is in Judicial Custody from 04.06.2023

and that investigation is completed and also having regard to the fact that, co-accused in this case were released on bail, this Court is inclined to grant bail to the petitioner.

5. 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 **Principal Sessions Judge, 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 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



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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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

14.07.2023

Sma

To



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1. Principal Sessions Judge,
Chennai.

2. The Inspector of Police,
G-7, Chetpet Police Station,
Chennai.

3. Central Prison,
Puzhal.

4. The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.



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