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Crl.O.P.No.15042 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.07.2023

CORAM :

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.15042 of 2023

Sathyanarayanan @ KMC

.. Petitioner

Vs.

State: rep by
The Inspector of Police,
K-1, Sembium Police Station,
Chennai
(Crime No.570/2022)

..Respondent

PRAYER : Criminal Original Petition has been filed under section 439 of Criminal Procedure Code to enlarge the petitioner/accused on bail pending investigation in S.C.No.419 of 2022 on the file of II Additional Sessions Judge, Chennai.

For Petitioner : M/s.G.Mohanakrishnan

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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ORDER

The petitioner herein arrayed as 6th accused in Crime No.570 of 2022, on the file of the respondent police has been taken into custody on his voluntary surrender on 15.09.2022.

2. Earlier the petitioner sought for bail, this Court taking note of the fact that it is a case of retaliate murder and there is a possible backlash, since the matter was listed for framing of charges on 19.06.2023, this Court dismissed the earlier bail petition.

3. The second bail petition is now filed on the ground that all the accused granted bail and though the accused were presented to hear the charge on 17.07.2023, the Presiding Officer was on leave. Hence the matter is adjourned to 31.07.2023.

4. Taking note of the fact that all the co-accused been already granted bail and the stage of the case reached framing of charges, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following



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conditions;

(a) the petitioner shall execute 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 Additional Sessions Judge, Chennai;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) **the petitioner is directed to report before the trial Court daily at 10.00 a.m., until further orders ;**

(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 Judicial 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];



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(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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Internet : Yes/No

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rpl

To

1.The II Additional Sessions Judge, Chennai.

2.The Inspector of Police,
K-1, Sembium Police Station,
Chennai.

3.The Superintendent,
Central Prison, Puzhal, Chennai.

4.The Public Prosecutor,
High Court, Madras.

Dr.G.JAYACHANDRAN, J.

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