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Crl.O.P.No.17696 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM

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

Crl.O.P.No.17696 of 2023

Jeelan

...Petitioner

Vs.

State rep.by,
Inspector of Police,
Anna Nagar Police Station,
Chennai District.

(Crime No.420 of 2019)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in S.C.No.140 of 2021 pending on the file of learned III Additional Session Judge at Chennai in Crime No.420 of 2019 on the file of the respondent.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.07.2023 for the offences punishable under Sections 294(b), 341, 394, 397, 506(ii) read with 34 of IPC in S.C.No.140 of



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2021 pending on the file of learned III Additional Sessions Judge at Chennai in Crime No.420 of 2019 on the file of the respondent, seeks bail.

2. It is the submission of the learned counsel for the petitioner that the petitioner is an accused in S.C.No.140 of 2021 pending on the file of the learned III Additional Sessions Judge, Chennai. Since, he was absent on 02.03.2022, NBW was issued and executed on 31.01.2023 by way of PT Warrant. In another case in Crime No.413 of 2022 on the file of the K-2, Ayanavaram Police Station, for the offence under Section 302 IPC, petitioner has got bail. The detention order passed against him was also set aside by this Court in H.C.P.No.109 of 2023 dated 28.06.2023.

3. Learned Additional Public Prosecutor submitted that, petitioner got bail in Crime No.413 of 2022.

4. Considering the fact that the petitioner was remanded by PT Warrant in this case on 31.01.2023, that he is judicial custody from 31.01.2023 and the fact that he got bail in another case in Crime No.413 of 2022, this Court is inclined to grant bail to the petitioner and the petitioner is ordered to be released on bail on his executing a bond for a



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sum of **Rs.25,000/-** (Rupees Twenty Five thousand only) with **two sureties**, each for a like sum to the satisfaction of the **learned III Additional Session 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 trial Court 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 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].



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G.CHANDRASEKHARAN, J.
mpl

[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 229A IPC.

10.08.2023

mpl

To

- 1.The learned III Additional Session Judge, Chennai.
- 2.The Central Prison, Puzhal.
- 3.The Inspector of Police,
Anna Nagar Police Station,
Chennai District.
- 4.The Public Prosecutor,
High Court of Madras.

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