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Crl.O.P.No.17811 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM

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

Crl.O.P.No.17811 of 2023

Prakash

...Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Mettur Police Station,
Salem District.
Crime No.169 of 2022

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Crime No.169 of 2022 on the file of the respondent police.

For Petitioner : Mr.T.Maha Vishnu

for Mr.R.Thamarai Selvan

For Respondent : Mr.S.Rajakumar

Additional Public Prosecutor



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4. Considering the nature, facts and circumstances of the case and that investigation in this case is completed and the case is pending in S.C.No.42 of 2023 and having regard to the fact that, A1 & A2 were released on bail and the detention order passed against the petitioner is revoked and also the fact that the petitioner is in judicial custody from 25.10.2022, this Court is inclined to grant bail to the petitioner.

5. Accordingly, 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 **Judicial Magistrate No.I, Mettur** 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.



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[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 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].

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

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To

1. Judicial Magistrate No.I,
Mettur.
2. Central Prison,
Salem.
- 3.The Inspector of Police,
Mettur Police Station,
Salem District.
- 4.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN. J.

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