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Crl.O.P.No.18134 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.18134 of 2023

Silambarasan

...Petitioner

Vs.

State represented by
The Inspector of Police,
K-10, Koyembedu Police Station,
Chennai.
Crime No.1266 of 2014.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail pending committal in P.R.C.No.116 of 2014 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai.

For Petitioner : Mr.T.Shanmuga Boopathi
for Mr.K.Kannan
For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.07.2023 for the offences punishable under Sections 341, 294(b), 323, 307 IPC pending in P.R.C.No.116 of 2014 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai. in connection with Crime No.1266 of 2014, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an accused in P.R.C.No.116 of 2014. Due to pandemic, petitioner was not able to attend the Court and thus, Non-Bailable Warrant was issued on 19.02.2021 and the same was executed on 27.07.2023. He further submitted that, petitioner would be very regular hereafter and thus, he seeks bail to the petitioner.

3. In response, the learned Additional Public Prosecutor submitted that, trial is pending in this case.

4. Considering the facts and circumstances in which the Non-



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Bailable Warrant was issued against the petitioner and subsequently remanded to Judicial Custody on 27.07.2023 and also having regard to the submission of the learned counsel for the petitioner that the petitioner would regularly appear before the Court hereafter, 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 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 appear before the learned V Metropolitan Magistrate, Egmore, Chennai, on all working day until further orders and on all hearing dates without fail;



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[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.

09.08.2023

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To

1.The V Metropolitan Magistrate, Egmore, Chennai

2.The Central Prison,
Puzhal, Chennai.

3.The Inspector of Police,
K-10, Koyembedu Police Station,
Chennai.

4.The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.



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