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Crl.O.P.No.21815 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

CORAM

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

Crl.O.P.No.21815 of 2023

Arun @ Nanrotti Arun

...Petitioner

Vs.

The State rep. by
The Inspector of Police,
P-5 MKB Nagar Police Station
Chennai.
(Cr.No.1685/2017)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in S.C.No.148 of 2020 pending trial before XVII Additional Sessions Judge Chennai.

For Petitioner : Mr.B.Shankar

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.03.2023 for the offences punishable under Sections 302 r/w. 34 IPC in S.C.No.148 of 2020 on the file of the learned XVII



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Additional Sessions Judge Chennai in Crime No.1685 of 2017 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.148 of 2020 pending trial before the learned XVII Additional Sessions Judge Chennai. Since, he could not appear before the Court on 09.01.2023, NBW was issued against him and it was executed on 01.03.2023. Since then, he is in judicial custody. He further submitted that the petitioner would be regular in attending the Court hearings in future. Thus, he seeks bail.

3. Learned Additional Public Prosecutor submitted that, because of the absence of the petitioner, there is a delay in the trial proceedings.

4. Considered the rival submissions and perused the records of the case.

5. The petitioner is in judicial custody from 01.03.2023. It is the submission of the petitioner that petitioner would be regular in attending the Court future hearings. In the said circumstances, this Court is inclined to grant bail to the petitioner and the petitioner is ordered to



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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 XVII Additional 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 concerned Court on all working days 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.

25.09.2023

mpl

To

- 1.The XVII Additional Sessions Judge
Chennai.
- 2.The Chennai Prison for Men,
Puzhal, Chennai.
- 3.The Inspector of Police,
P-5 MKB Nagar Police Station
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

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