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Crl.O.P.No. 22442 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.22442 of 2023

V.Dhinakaran

... Petitioner

Vs.

The State rep. by:-
The Inspector of Police,
K-5 Peravallur Police Station,
Chennai.
(Crime No. 82 of 2019)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner / Accused on bail pending trial in
C.C.No.6383 of 2019 on the file of the learned V Metropolitan Magistrate,
Egmore, Chennai.

For Petitioner : Mr.K.Sureshkumar

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl.Side)



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ORDER

The petitioner/A1 seeks bail in C.C.No.6383 of 2019 pending trial on the file of the V Metropolitan Magistrate, Chennai, in connection with Crime No.82 of 2019 registered by the respondent Police for the offence under Sections 457, 380 r/w 34 and 411 of IPC.

2.It is stated that Non Bailable Warrant was issued against the petitioner on 14.03.2022 and the same was executed on 13.06.2022 and the other accused had also absconded during the trial process.

3.It is seen that the other accused had surrendered and Non Bailable Warrant was recalled by the learned Magistrate.

4.It is stated by the respondent that all the other accused are also participating in the trial process.

5.In view of that particular fact and the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Egmore and on further conditions that:

[a] the sureties shall affix their photographs and



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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 learned Judicial Magistrate No.V, Egmore, Chennai on everyday 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.

20.10.2023

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C.V.KARTHIKEYAN, J.

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To

1. The Judicial Magistrate No.V, Egmore, Chennai.
2. The Inspector of Police,
K-5 Peravallur Police Station,
Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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