



Crl.OP.No.23117 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

CORAM

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

Crl.OP.No.23117 of 2023

Anand @ Boxer Anand
S/o.Nagappan

...Petitioner/A5

Vs.

State represented by its
Inspector of Police,
P-2, Otteri Police Station,
Chennai – 12.
(Crime No.84 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.84 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.G.Vignesh

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.06.2023 for the offences punishable under Sections 341, 294(b), 324, 307, 506(ii) of IPC in Crime No.84 of 2023 on the file of the respondent police, seeks bail.



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2.The learned counsel for the petitioner submitted that petitioner has been falsely implicated in Crime No.84 of 2023, for the offences punishable under Sections 341, 294(b), 324, 307, 506(ii) of IPC. Thus, he prays for grant of bail to the petitioner.

3.It is stated by the learned Government Advocate (Crl.Side) that after investigation, final report had been taken cognizance in PRC.No.131 of 2023, by the learned Xth Metropolitan Magistrate, Egmore, Chennai. It is stated that all the other accused had been granted bail. It is also stated that on 28.02.2023, the first accused, who was named in the FIR and two other persons, attacked the injured and they had been subsequently remanded to custody. It is further stated on the side of the respondent that there are six previous cases against the petitioner herein. Thus, he prayed for dismissal of this petition.

4.However, since all the accused have been granted bail, I would consider the same for this petitioner also and this Court is inclined to grant bail to the petitioner subject to the following conditions.



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Accordingly, the petitioner is ordered to be released on bail on he executing 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 Xth 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 report before the respondent police everyday Morning at 10.30 a.m., and Evening at 05.30 p.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



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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.

09.10.2023

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To

- 1.The Xth Metropolitan Magistrate, Egmore,
Chennai
- 2.The Central Prison,
Puzhal.
- 3.The Public Prosecutor,
High Court of Madras.
- 4.The Inspector of Police,
P-2, Otteri Police Station,
Chennai – 12.
(Crime No.84 of 2023)



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C.V.KARTHIKEYAN. J.

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