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Crl.O.P.No. 23261 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.23261 of 2023

Annamalai

... Petitioner

Vs.

The State rep. by:-
The Inspector of Police,
B-2 Esplanade Police Station,
Chennai.
(Crime No. 191 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.1347 of 2020 on the file of the learned VII Metropolitan Magistrate,
George Town, Chennai, in connection with Crime No.191 of 2019 on the file
of the respondent Police.

For Petitioner : Mr.M.Iliyas

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



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ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 04.08.2023 in Crime No.191 of 2019 registered by the respondent Police for the offences under Sections 392 r/w 34 of IPC.

2.After filing the final report, it had been taken cognizance in C.C.No.1347 of 2020 by the learned VII Metropolitan Magistrate, George Town, Chennai.

3.It is stated that the matter is now posted for fresh summons for A3 who has not appeared before the Court. It is also stated that the petitioner had been secured and two other accused had also been appeared before the Court regularly.

4.Taking that factor into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

5.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 VII Metropolitan Magistrate, George Town, Chennai and on further conditions that:



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[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 learned VII Metropolitan Magistrate, George Town, Chennai, on every Monday till completion of the trial and also appear before the Court hearing dates;

[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 VII Metropolitan Magistrate,
George Town, Chennai.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
B-2 Esplanade Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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