



CrI.OP.No.23519 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

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

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Anburaj @ Anbu

...Petitioner/Accused 2

Vs.

The State represented by
Inspector of Police,
Roshanai Police Station, Tindivanam,
Villupuram District.
(Crime No.283 of 2023)

...Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail in connection with the above said Crime No.283 of 2023 on the file of the respondent police.

For Petitioner : Mr.B.Thirumalai

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.07.2023 for the offence punishable under Sections 341, 294(b),



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324, 307 and 506(ii) of IPC, in Crime No.283 of 2023 on the file of the respondent police, seeks bail.

2.It is stated that there had been previous enmity between the petitioner/accused and the defacto complainant. On 18.07.2023, when the defacto complainant and his friends had gone to the hotel, the accused persons picked a quarrel which led to the commission of the offence.

3.It is stated by the respondent that A1 had been detained under Act 14 of 1982. A3 had been granted bail by the learned Magistrate.

4.It is also stated that there are some previous cases against the petitioner.

5.But however, taking into consideration 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.I, Tindivanam, 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 respondent police daily 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.

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C.V.KARTHIKEYAN. J.

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To

- 1.The Judicial Magistrate No.I, Tindivanam.
- 2.Sub Jail, Tindivanam.
- 3.The Inspector of Police,
Roshanai Police Station,
Tindivanam, Villupuram District.
- 4.The Public Prosecutor,
High Court of Madras.

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