



Crl.OP.No.23264 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

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

Crl.OP.No.23264 of 2023

Varun Krishnamoorthy @ Varadaraj ...Petitioner

Vs.

State rep. by
Inspector of Police,
W-20, All Women Police Station,
Saidapet, Chennai.
(Crime No. 7 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail, pending investigation in Crime
No.7 of 2023 on the file of the respondent police.

For Petitioner : Mr.C.Kathiravan
for Mr.D.Bennington

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



CrI.OP.No.23264 of 2023

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ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.08.2023 for the offence punishable under Section 354, 354(a), 354(c), 354(d) of IPC r/w Sections 67 & 68 of I.T.Act, in Crime No.7 of 2023 on the file of the respondent police, seeks bail.

2.It is stated that the petitioner had sent photographs of the defacto complainant to her husband which photographs are obviously false.

3.It is also stated by the respondent that the mobile phone has been recovered and substantial portion of the investigation has been completed.

4.Taking into consideration the nature of allegation, the trial Court shall take the cognizance of the final report and endeavour to conduct the trial on which the deliver the judgment without necessary adjournments.

5.In view of the above, 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



CrI.OP.No.23264 of 2023

of the IX Metropolitan Magistrate, Saidapet, 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 should not interfere with the process of the trial

[c] the petitioner shall report before the respondent police daily at 10.00 a.m and 5.00 p.m., till filing of the final report and thereafter, appear everyday before the trial Court, till completion of the trial;

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].



CrI.OP.No.23264 of 2023

[g] If the accused thereafter absconds, a fresh FIR
can be registered under Section 229A IPC.

10.10.2023

vkr/rjr

To

1.The IX Metropolitan Magistrate Court at Saidapet, Chennai.

2.Central Prison,
Puzhal.

3.Inspector of Police,
W-20, All Women Police Station,
Saidapet, Chennai.

4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



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Crl.OP.No.23264 of 2023

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Crl.O.P.No.23264 of 2023

10.10.2023