



Crl.OP.No.23544 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

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

Crl.OP.No.23544 of 2023

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...Petitioner/Accused 1

Vs.

State represented by
The Inspector of Police,
Nazarethpet Police Station,
Avadi City,
Thiruvallur District.

...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.218 of 2023 on the file of the respondent police.

For Petitioner : Mr.A.M.Rahamath Ali

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.09.2023 for the offence punishable under Sections 436 and 307



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of IPC, in Crime No.218 of 2023 on the file of the respondent police, seeks bail.

2.It is stated that when the defacto complainant was sleeping in the portico along with his family, the petitioner and his friends had eased themselves in the compound wall, which led to a quarrel. Later, it is alleged that some persons had thrown a lighted bottle containing petrol, igniting a small fire to the window screen.

3.On the side of the respondent, it is stated that A3 and A4 are yet to be absconding.

4.Taking into consideration the fact that no one has been injured and the entire issue emanated from a petty quarrel, 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 Judicial Magistrate No.I, Poonamallee, 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.

12.10.2023

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C.V.KARTHIKEYAN. J.

vkr

To

- 1.The learned Judicial Magistrate No.I, Poonamallee.
- 2.Central Prison, Puzhal.
- 3.The Inspector of Police,
Nazarethpet Police Station,
Avadi City, Thiruvallur District.
- 4.The Public Prosecutor,
High Court of Madras.

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