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CrI.OP.No.23636 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2023

CORAM

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

CrI.OP.No.23636 of 2023

Clarance Christopher @ Larance

...Petitioner

Vs.

State represented by
The Inspector of Police,
M-5, Ennore Police Station,
Chennai.
Crime No.628 of 2023.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner's on bail in Crime No.628 of 2023 on the
file of respondent police on such terms and conditions.

For Petitioner : Ms.R.Gayathri
For Respondent : Mr.R.Kishore Kumar
Government Advocate (CrI side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.09.2023 for the offence punishable under Sections 147, 148, 294(b), 323, 336, 341, 397, 506(ii) IPC in Crime No.628 of 2023 on the file of the respondent police, seek bail.

2. The learned counsel for the petitioner stated that petitioner is innocent and he has been falsely implicated in this case. It is further stated that, other accused have been granted bail. Thus, he seeks for grant of bail to the petitioners.

3. The learned Government Advocate (Criminal side) stated that, the petitioner had been taken into custody on 11.09.2023. The petitioner and other accused had waylaid the defacto complainant, threatened him with knife and robbed a sum of Rs.3,800/-. Thus, he prays for dismissal of this petition.



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4. In view of the facts, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail on their 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 **learned Judicial Magistrate, Thivottiyur**, 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 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



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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.

16.10.2023

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To

- 1.The Judicial Magistrate, Thivottiyur.
2. Central Prison,
Puzhal-II, Chennai.
- 3.The Inspector of Police,
M-5, Ennore Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras



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C.V.KARTHIKEYAN. J.

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