



Crl.OP.No.23952 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2023

CORAM

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

Crl.OP.No.23952 of 2023

Robert @ Chinna Robert

... Petitioner

Vs.

State by
The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai.
(Crime No.369 of 2022)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail concerned in C.C.No.3152 of 2023 on the file of the V Metropolitan Magistrate, Egmore, Chennai, in Crime No.369 of 2022 pending on the file of the respondent police.

For Petitioner : Mr.G.Raja

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



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ORDER

The petitioner seeks bail in C.C.No.3152 of 2023 on the file of the V Metropolitan Magistrate, Egmore, Chennai, in Crime No.369 of 2022 registered by the respondent police for the offences punishable under Sections 341, 294(b), 384 and 506(ii) of IPC.

2. The petitioner is the 1st accused. It is stated that the petitioner and the 2nd accused, had demanded monthly mamool from the defacto complainant and had threatened her to hand over the money, which necessitating lodging of complaint and registration of FIR.

3. The learned counsel for the petitioner states that the petitioner was in custody in yet another case in Crime No.01 of 2023 and after being granted bail, he was subsequently, again arrested on 09.03.2023.

4. It is stated that the 2nd accused had been detained under Act 14 of 1982. It is also stated that there are 16 previous cases pending against the petitioner herein.



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5. Taking into consideration the period of incarceration undergone by the petitioner and taking note of the fact that the petitioner is willing to co-operate during trial and also co-accused had been granted bail, 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 V Metropolitan Magistrate, Egmore, Chennai, 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 V Metropolitan Magistrate, Egmore, Chennai, everyday Morning at 10.30 a.m., and Evening 5.30 p.m., till completion of trial.

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



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[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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To

- 1.The V Metropolitan Magistrate Court,
Egmore, Chennai.
- 2.Central Prison, Puzhal – II, Chennai.
- 3.The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



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