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Crl.OP.No.24110 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

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

Crl.OP.No.24110 of 2023

Gopi S/o. Rathanam

... Petitioner

Vs.

State by
The Inspector of Police,
G-7, Chetpet Police Station,
Chennai.
(Crime No.371 of 2019)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in S.C.No.17 of 2021
on the file of the XXII Additional Sessions Judge, Chennai.

For Petitioner : Mr.R.Mukesh Kannah

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



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ORDER

The petitioner seeks bail in S.C.No.17 of 2021 now pending on the file of the XXII Additional Sessions Judge, Chennai, in Crime No.371 of 2019 registered by the respondent police for the offences punishable under Sections 294(b), 307, 506(ii) IPC.

2. It is stated that a Non-bailable Warrant had been issued on the petitioner on 13.04.2023 and the same had been executed on 20.06.2023.

3. It is stated that that the trial is in progress. Since trial is under progress it would not be appropriate for this Court to examine the nature of the offence.

4. In view of all these factors, I am 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



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Thousand only) with two sureties, each for a like sum to the satisfaction of the XXII Additional Sessions Judge, 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 appear before the trial Court everyday Morning at 10.30 a.m., till completion of the trial.

[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



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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.

18.10.2023

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To

- 1.The XXII Additional Sessions Judge, Chennai.
- 2.Central Puzhal Prison – II, Chennai.
- 3.The Inspector of Police,
G-7 Chetpet Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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