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Crl.OP.No.24203 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

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

Crl.OP.No.24203 of 2023

Selvam S/o. Kumar

... Petitioner

Vs.

State by
The Inspector of Police,
T-16, Nazarathpet Police Station,
Tiruvallore District.
(Crime No.218 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.218 of
2023 pending on the file of the respondent police.

For Petitioner : Mr.M.Prabhakar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.09.2023 for the offences punishable under Section 436 & 307 of IPC, in Crime No.218 of 2023 on the file of the respondent police, seeks bail.

2. It is stated that the petitioner along with other accused were urinated in front of the house of the defacto complainant, as a result of which, there was a quarrel. Thereafter, the accused persons came back and had thrown petrol bomb at the defacto complainant's house and causing fire. However, no injury was sustained.

3. It is also stated that one of the accused had been granted anticipatory bail by this Court in Crl.O.P.No.22508 of 2023 dated 04.10.2023.

4. Taking into consideration the fact that one of the accused had been granted anticipatory bail, I am inclined to grant bail to the petitioner with certain conditions:



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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 Judicial Magistrate No.I, Poonamallee, 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 respondent police everyday 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].



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

19.10.2023

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To

- 1.The Judicial Magistrate No.I, Poonamallee.
- 2.Central Prison, Puzhal, Chennai.
- 3.The Inspector of Police,
T-16, Nazarathpet Police Station,
Tiruvallore District.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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