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Crl.O.P.No.24264 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

CORAM

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

Crl.O.P.No.24264 of 2023

Prakash

... Petitioner

Vs.

State of Tamilnadu

Rep. by the Inspector of Police,

Varanjaram Police Station,

Villupuram District.

(Crime No. 194 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioner on bail in connection with the case in Crime

No.194 of 2023 pending investigation on the file of the respondent Police.

For Petitioner : Mr.D.Raghu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.08.2023 for the offence punishable under Section 394 of IPC, in Crime No.194 of 2023 on the file of the respondent police, seek bail.



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2.It is stated that the petitioner tried to snatch the chain of the defacto complainant who fell down and sustained injuries.

3.It is stated by the learned Government Advocate that there are two previous cases pending against the petitioner.

4.Taking into consideration all the facts and the period of incarceration, 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, Kallakurichi, 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 on daily twice at 10.30 a.m and 5.30 p.m., until further orders;

[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.

19.10.2023

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To

1. The Judicial Magistrate No.1, Kallakurichi
2. The Inspector of Police,
Varanjaram Police Station,
Villupuram District.
3. The Central Jail, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN, J.

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