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Crl.OP.No.24521 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2023

CORAM

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

Crl.OP.No.24521 of 2023

Naresh S/o. Ramesh

... Petitioner/Accused-1

Vs.

State by
The Inspector of Police,
H-5, New Washermenpet Police,
Chennai – 600 081.
(Crime No.421 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.421 of
2023 pending on the file of the respondent police.

For Petitioner : Mr.N.Sivaraman

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



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ORDER

The petitioner/A1, who was arrested and remanded to judicial custody on 20.09.2023 for the offences punishable under Sections 294(b), 323, 397, 506(ii) of IPC, in Crime No.421 of 2023 on the file of the respondent police, seeks bail.

2. It is stated that the petitioner along with other accused persons waylaid the defacto complainant and robbed a sum of Rs.450/-.

3. It is stated by the learned counsel for the petitioner that the petitioner was innocent of the offence and he had been falsely roped in this case.

4. It is also stated on the side of the respondent that the petitioner along with other accused had waylaid the defacto complainant, abused him in filthy language and had robbed a sum of Rs.450/-.

5. Taking all the facts into consideration, I am inclined to grant bail to the petitioner subject to the following 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 XV Metropolitan Magistrate, George Town, Chennai, and on



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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 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.

30.10.2023

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C.V.KARTHIKEYAN. J.



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To

- 1.The XV Metropolitan Magistrate, George Town, Chennai.
- 2.Central Prison, Puzhal, Chennai.
- 3.The Inspector of Police,
H-5 New Washermenpet Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

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