



WEB COPY



Crl.O.P.No. 25171 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM

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

Crl.O.P.No.25171 of 2023

Sathish @ Olli Sathish

... Petitioner

Vs.

The State rep by
The Inspector of Police,
E-1, Mylapore Police Station,
Chennai.

(Crime No.153 of 2023)

... Respondent

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

pleased to enlarge the petitioner / Accused on bail in Crime No.153 of 2023

pending on the file of the respondent Police.

For Petitioner : Mr.M.Illiyas

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

ORDER

The petitioner/A1 who was arrested and remanded to judicial custody on 09.04.2023, registered by the respondent Police for the offences under Sections 294(b), 324, 307 & 506(ii) of IPC in Crime No.153 of 2023,



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seeks bail.

2.After investigation, the final report had been filed and being committed to the Court of Sessions and taken on file in S.C.No.417 of 2023 on the file of the XV Additional Sessions Court, Chennai. The case is now posted before the Sessions Court on 17.11.2023.

3.The case of the prosecution is that due to previous enmity, the petitioner had attacked the defacto complainant/injured with broken beer bottle.

4.It is stated by the respondent that the injured had been discharged from the hospital and investigation has been completed.

5.Taking into consideration that the investigation has been completed and the matter is now pending trial and to afford opportunity to the petitioner for conducting trial,, 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 learned **XV Additional Sessions Judge, Chennai**, and on further conditions that:

[a] the sureties shall affix their photographs and



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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 learned XV Additional Sessions Judge, Chennai, weekly once, ie., on every Monday apart from the Court hearing dates, till examination of the injured witness/defacto complainant and thereafter, as directed by the learned Sessions Judge;

[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.

02.11.2023

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C.V.KARTHIKEYAN, J.

vkr

To

1. The XV Additional Sessions Judge, Chennai.
2. The Inspector of Police,
E-1, Mylapore Police Station,
Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

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