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Crl.O.P.No.25563 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2023

CORAM

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

Crl.O.P.No.25563 of 2023

Jana S/o. Murugan

... Petitioner/Accused-2

Vs.

The State represented by
The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai.

(Crime No.129 of 2021)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in C.C.No.5634 of 2021, pending trial
on the file of V Metropolitan Magistrate, Egmore, Chennai.

For Petitioner : Mr.P.Sundara Rajan

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



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ORDER

The petitioner/A2 seeks bail in C.C.No.5634 of 2021, now pending before the V Metropolitan Magistrate, Egmore, Chennai. Originally, Crime No. 129 of 2021 had been registered for the offences punishable under Section 392 of IPC. The petitioner had been taken into custody on 24.07.2023.

2.Originally, the petitioner had been granted bail but the petitioner had absconded judicial process therefore, a Non-bailable Warrant had been issued on 21.06.2023 and it was executed on 24.07.2023.

3.It is also stated that A1 was absconding but he has now been secured on 24.11.2023.

4.In view of these facts, I am inclined to grant bail to the petitioner subject to the following 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 fresh sureties, each for a like sum to the satisfaction of the V Metropolitan Magistrate, Egmore, Chennai, and on further conditions that: -



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[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 V Metropolitan Magistrate, Egmore, Chennai, in C.C.No.5634 of 2021, everyday at 10.30 a.m., till completion of trial, apart from the Court hearing dates.

[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.

07.12.2023

ata

C.V.KARTHIKEYAN, J.



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To

- 1.The V Metropolitan Magistrate, Egmore, Chennai.
- 2.The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai.
- 3.The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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