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Crl.O.P.No. 24768 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 15.11.2023**

**CORAM**

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

**Crl.O.P.No.24768 of 2023**

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... Petitioner

Vs.

The State rep by  
The Inspector of Police,  
N2 Kasimedu Police Station,  
Chennai.  
Crime No.271 of 2023

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
pleaded to enlarge the petitioner / Accused on bail in Crime No.271 2023  
pending on the file of the respondent Police.

For Petitioner : Mr.G.Ezhilbalaji

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

**ORDER**

The petitioner, who was arrested and remanded to judicial custody  
on 05.10.2023 for the offences under Sections 341, 294(b), 392 and 397 of  
IPC, in Crime No.271 of 2023, seeks bail.



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2.It is stated that the petitioner had waylaid the defacto complainant and robbed a sum of Rs.500/- from him at knife point.

3. It is stated by the learned Government Advocate that there are 11 previous cases against the petitioner, but out of 11 previous cases, he had been acquitted in four cases.

4.Taking into consideration that the period of incarceration undergone by the petitioner, 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 XVI Metropolitan Magistrate, George Town, Chennai, 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 everyday at 10.30 a.m., until further orders;**

[c] the petitioner shall not abscond either during



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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.

**15.11.2023**

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To

1. The XVI Metropolitan Magistrate,  
George Town, Chennai
2. The Inspector of Police,  
N2 Kasimedu Police Station,  
Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,  
High Court of Madras.



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**C.V.KARTHIKEYAN, J.**

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