



CrI.O.P.No.24868 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2023

CORAM

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

CrI.O.P.No.24868 of 2023

Arul S/o. Duraiswamy

... Petitioner/ accused-3

Vs.

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

(Crime No.308 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail in Crime No.308 of 2023
pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Dhilipan

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



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ORDER

The petitioner/A3 seeks bail in Crime No.308 of 2023, registered by the respondent police for the offences punishable under Section 392 of IPC and subsequently altered to Sections 457, 380 & 392 of IPC. The petitioner had been remanded to judicial custody on 21.09.2023.

2.It is stated that all the accused had entered into the house of the defacto complainant and had robbed gold and cash. It is also stated that some portion of the gold had been recovered and A1 had been detained under Act 14 of 1982.

3.Taking into consideration all factors and the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

4.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 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 respondent police everyday 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.

16.11.2023

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C.V.KARTHIKEYAN. J.

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To

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

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