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CRL.O.P.No.24981 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.10.2023

CORAM :

THE HON'BLE MRS. JUSTICE **R. KALAIMATHI**

CRL.O.P.No.24981 of 2023

Senthil Kumar @ Line Senthil

... Petitioner/Accused

Vs.

State rep. by
The Inspector of Police (Crime),
P-6, Kodungaiyur Police Station,
Chennai – 600 118.
(Crime No.700 of 2022)

... Respondent

Prayer: Criminal Original Petition is filed under Section 439 of Cr.P.C, to enlarge the petitioner on bail in Crime No.700 of 2022 on the file of the respondent police.

For Petitioner : Mr.M.V.Bibin Mahesh

For Respondent : Mr.S.Balaji
Government Advocate (Crl.Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.09.2023 for the offences punishable under Sections 341, 294(b), 353, 332, 307 & 506(2) of IPC in Crime No.700 of 2022, seeks bail.

2. The case of the prosecution is that the defacto complainant is the police constable and while he was serving summons to the witnesses the petitioner, in an inebriated condition, had waylaid the defacto complainant and abused the defacto complainant in filthy language and assaulted him with stones. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has nothing to do with the alleged offence. He would further submit that charge sheet has been filed and the same has been taken cognizance by the IV Additional City Civil Court, Chennai, as S.C.No.58 of 2023, which is pending for trial. Hence, he prays for grant of bail.



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4. The learned Government Advocate (Crl. Side) for the respondent police would submit that the defacto complainant is a police constable, when he went for serving summons, the petitioner, under the influence of alcohol, had waylaid the defacto complainant and abused him in filthy language, assaulted him with stones and threatened him with dire consequences. He further submit that there are 12 previous cases pending against the petitioner herein. Hence, he vehemently opposed to grant bail to the petitioner herein.

5. Heard the learned Counsel on either side and perused the materials placed on record.

6. Taking into consideration the facts and circumstances and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) 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 **IV Additional City Civil Court, Chennai**, and on further conditions that:



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To

1. The IV Additional City Civil Court, Chennai.
2. The Inspector of Police (Crime),
P-6, Kodungaiyur Police Station,
Chennai – 600 118.
3. The Jailer,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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R. KALAIMATHI, J.

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