



WEB COPY



Crl.O.P.No. 25247 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

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

Crl.O.P.No.25247 of 2023

Nagarajan

... Petitioner

Vs.

The State rep by
The Inspector of Police,
Padalam Police Station,
Chengalpattu District.
Crime No.394 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.394 2023
pending on the file of the respondent Police.

For Petitioner : Mr.Edin Brough

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

ORDER

The petitioner is A1 in Crime No.394 of 2023 registered by the
respondent police for the offences punishable under Sections 279, 304, 201



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of IPC r/w Section 134(a), 134(b) and 187 of MV Act, and had been arrested and remanded to judicial custody on 01.09.2023. Hence, he seeks bail.

2. The case of the prosecution is that five persons along with the petitioner went in a Skoda car, which had been driven from Chennai to Tindivanam, and dashed against the two wheeler bearing Regn.No.TN-05-AM-1076, causing death. The further case of the prosecution is that the petitioner had driven the car away and absconded.

3.The earlier bail application had been dismissed on 03.10.2023. It is now informed that all the occupants of the car has been seized and the car has also been seized.

4.Taking that factor into consideration, 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 Judicial Magistrate No.I, Chengalpattu, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate



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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, every day 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.

09.11.2023

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To

1. The Judicial Magistrate No.I, Chengalpattu.
2. The Sub Jail, Chengalpattu.



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3. The Inspector of Police,
Padalam Police Station,
Chengalpattu District.

4. The Public Prosecutor, High Court of Madras.

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