



Crl.O.P.No.25375 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

CORAM

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

Crl.O.P.No.25375 of 2023

A.Suriya S/o. Alagar

... Petitioner/Accused-2

Vs.

State by
The Inspector of Police,
M-5, Ennore Police Station,
Thiruvallur District.

(Crime No.602 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.602 of
2023 on the file of the respondent police.

For Petitioner : Mr.M.Muthuramalingam

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



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ORDER

The petitioner/A2 seeks bail in Crime No.602 of 2023, registered by the respondent police for the offences punishable under Sections 294(b), 324, 307 & 506(ii) of IPC. The petitioner had been remanded to judicial custody on 01.09.2023.

2. The defacto complainant is running a jewellery/pawn shop. The petitioner had demanded mamool. A complaint was given by the defacto complainant against A4, in which FIR in Crime No.485 of 2023 was registered and A4 was taken into custody.

3. It is stated that A1, A2 and A3, who are friends of A4 had met him in the prison and he told about the facts and later A1, A2 and A3 are said to have committed the offence against the defacto complainant.

4. This is the 2nd bail application and earlier bail application filed by the petitioner was dismissed on 10.10.2023 in CrI.O.P.No.23344 of 2023.



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5. Taking all these facts into consideration and particularly investigation has been practically completed and that the injured had been discharged from the hospital, I am inclined to grant bail to the petitioner subject to the following conditions:

6. 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 Judicial Magistrate Court, Thiruvottiyur, 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 investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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.

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To

1. The Judicial Magistrate Court, Thiruvottiyur.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
M-5, Ennore Police Station,
Thiruvallur District.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



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