



WEB COPY



Crl.O.P.No. 25206 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM

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

Crl.O.P.No.25206 of 2023

G.Prakash

... Petitioner

Vs.

The Inspector of Police,
P6-Kodungaiyur Police Station,
Kodungaiyur, Chennai 118.
(Crime No.557 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.557 of 2023
pending on the file of the respondent Police.

For Petitioner : Mr.N.Chandran

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

ORDER

The petitioner/A1 who was arrested and remanded to judicial custody on 05.10.2023, registered by the respondent Police for the offences under Sections 341, 294(b), 323, 397, 506(ii) of IPC in Crime No.557 of



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2023, seeks bail.

2.It is stated that the petitioner/A1 and A2 had waylaid the defacto complainant, threatened him and taken away a sum of Rs.500/- from him.

3.This Court had dismissed the earlier bail application of the petitioner on 18.10.2023 in Crl.O.P.No.24263 of 2023 and on the same day, had granted bail to the another accused namely A2 in Crl.O.P.No.24265 of 2023. At that time also, it was submitted by the respondent that there was a previous case of double murder against the petitioner.

4.Taking into consideration the further 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 X Metropolitan Magistrate, Egmore, 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



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respondent police, everyday twice at 10.30 a.m and 5.30 p.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.

02.11.2023

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To

1. The X Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police,
P6-Kodungaiyur Police Station,
Kodungaiyur, Chennai 118.

C.V.KARTHIKEYAN, J.



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3. The Central Prison, Puzhal.

4. The Public Prosecutor,
High Court of Madras.

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