



Crl.O.P.No. 25273 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2023

CORAM

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

Crl.O.P.No.25273 of 2023

1.Samivel

2.Venkatesh

... petitioners

Vs.

The Inspector of Police,
R-1, Mambalam Police Station,
Chennai

(Crime No. 234 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioners / Accused on bail pending investigation in

Crime No.234 of 2023 on the file of the respondent.

For Petitioners : Mr.P.Surendran

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 11.10.2023 for the offence punishable under Sections 341, 452, 397, 506(ii) of IPC r/w Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002 in Crime No.234 of 2023 on the file of the respondent



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police, seek bail.

2.The petitioners are arrayed as A2 and A3. It is stated that the petitioners and the other accused had gone over to the house of the defacto complainant and tried to steal the mobile phone and when the wife of the defacto complainant raised an alarm, the accused had assaulted the defacto complainant, his wife and his daughter-in-law.

3.Taking into consideration the period of incarceration and all other factors, this Court is inclined to grant bail to the petitioners with certain conditions.

4.Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate 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 XVII Metropolitan Magistrate, Saidapet 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 petitioners shall report before the



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respondent police on everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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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To

1. The XVII Metropolitan Magistrate, Saidapet.
2. The Central Prison II, Puzhal.

C.V.KARTHIKEYAN, J.



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3. The Inspector of Police,
R-1, Mambalam Police Station,
Chennai

4. The Public Prosecutor,
High Court of Madras.

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