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Crl.O.P.No. 25646 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.25646 of 2023

Ajaybudha

... Petitioner

Vs.

The State rep by
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai
Crime No.444 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.444 2023
pending on the file of the respondent Police.

For Petitioner : Mr.A.Elumalai

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

ORDER

The petitioner/A2, who was arrested and remanded to judicial
custody on 27.08.2023 for the offences under Section 395 of IPC, in Crime
No.444 of 2023, seeks bail.



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2.The case of the prosecution is that the defacto complainant and others were playing cards for money at Indira Nagar in Kodungaiyur, at that time, all the accused persons went over there and robbed cash for Rs.20,000/- one mobile phone and also gold chain.

3.It is stated that the mobile phone, gold chain and cash for Rs.1000/- had been recovered.

4.It is stated that all the accused have been granted bail except A9.

5.Taking into consideration the period of incarceration and all the accused have been granted bail except A9, this Court is inclined to grant bail to the petitioner with certain 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 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 respondent Police daily at 10.30 a.m., until further orders;



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[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 X Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

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