



Crl.O.P.No.25643 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.25643 of 2023

Pradeep S/o. Senthil

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai.

(Crime No.250 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.250 of 2023 on the file of the respondent police with terms and conditions.

For Petitioner : Mr.G.Ezhilbalaji

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



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ORDER

The petitioner seeks bail in Crime No.250 of 2023, registered by the respondent police for the offences punishable under Sections 341, 294(b), 506(ii) of IPC and Section 3 of TN Public Property (Prevention of Damage & Loss) Act, 1992. He has been in custody from 16.09.2023.

2.It is stated that A2 had been granted bail by the learned jurisdictional Magistrate.

3.It is stated that both the accused persons, under the influence of alcohol, had waylaid a lorry belonging to the defacto complainant and attacked him and damaged the mirrors of the lorry and also mirrors of the auto rickshaws.

4.The learned counsel for the petitioner stated that the petitioner has been in custody for a considerable period of time.

5.Taking into consideration all these facts, 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



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of the XVI Metropolitan Magistrate, George Town, 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 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.

[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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C.V.KARTHIKEYAN. J.

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To
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1. The XVI Metropolitan Magistrate, George Town, Chennai.
2. Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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