



WEB COPY



Crl.O.P.Nos.25954, 25957 & 25990 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2023

CORAM

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

Crl.O.P.Nos.25954, 25957 & 25990 of 2023

D.Radhakrishnan ... Petitioner in Crl.O.P.No.25954 of 2023

1.Aravind
2.Prakash ... Petitioners in Crl.O.P.No.25957 of 2023

Gugan ... Petitioner in Crl.O.P.No.25990 of 2023

Vs.

State by
The Inspector of Police,
F3 Nungambakkam Police Station,
Chennai.
(Crime No.227 of 2023) ...Respondent in all Crl.O.Ps
Common Prayer: Criminal Original Petitions filed under Section 439 of
Cr.P.C. praying to enlarge the Petitioners on bail concerned in Crime
No.227 of 2023 on the file of the respondent police with terms and
conditions.

For Petitioner
in Crl.O.P.No.25954 of 2023 : Mr.K.Amirthalingm

For Petitioner



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in Crl.O.P.No.25957 of 2023 : Mr.M.Kabilan
For Petitioner
in Crl.O.P.No.25990 of 2023 : Mr.P.S.Muralidhara Rao

For Respondent : Mr.R.Kishore Kumar
in all Crl.O.Ps Government Advocate (Crl. Side)

COMMON ORDER

The petitioners who were arrested and remanded to judicial custody on 31.10.2023 in Crime No.227 of 2023, registered by the respondent police for the offences punishable under Sections 341, 294(b), 323, 324 & 506(2) of IPC and subsequently altered to Sections 336 & 307 of IPC, seek bail.

2.The petitioner in Crl.O.P.No.25954 of 2023 is arrayed as A6, the petitioners in Crl.O.P.No.25957 of 2023 are arrayed as A4 and A3 and the petitioner in Crl.O.P.No.25990 of 2023 is arrayed as A1.

3.It is the case of the prosecution that the defacto complainant had gone to the hotel for a party and apparently, there was quarrel, which escalated into violence and when he came out from the hotel, the accused had joined together and assaulted him.



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4.It is stated that the injured had been discharged from the hospital.

5.Taking into consideration the fact that the injured had been discharged from the hospital, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6.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 XIV Metropolitan Magistrate Court, 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 petitioners shall report before the respondent police 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



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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.

15.11.2023

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To

1. The XIV Metropolitan Magistrate Court, Egmore, Chennai
2. The Central Prison, Puzhal
3. The Inspector of Police,
F3, Nungambakkam Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

vkr

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