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Crl.O.P.No.26007 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.No.26007 of 2023

Dhanush.M

... Petitioner

Vs.

State rep by

The Inspector of Police,

K-9, Thiru Vi Ka Nagar Police Station,
Chennai.

(Crime No.408 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.408 of
2023 on the file of the respondent police.

For Petitioner : Mr.N.M.Nijamudheen

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

ORDER

The petitioner who was arrested and remanded to judicial custody
on 19.10.2023, seeks bail in Crime No.408 of 2023, registered by the
respondent police for the offences punishable under Section 392 of IPC.



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2. It is stated that the petitioner had robbed the bike key and mobile phone of the defacto complainant and ran away.

3. It is stated by the learned Government Advocate that there is no previous case against the petitioner.

4. In view of that particular fact into consideration, 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 V 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 on everyday at 10.30 a.m., until further orders;

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



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[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.

15.11.2023

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To

- 1.The V Metropolitan Magistrate, Egmore, Chennai.
- 2.The Central Prison II, Puzhal.
- 3.The Inspector of Police,
K-9, Thiru Vi Ka Nagar Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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