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CrI.OP.No.26636 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2023

CORAM

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

CrI.OP.No.26636 of 2023

Rajesh @ Gundu Rajesh

...Petitioner

Vs.

The State of Tamil Nadu,
Rep.by the Inspector of Police,
H-1, Washermenpet Police Station,
Chennai.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.420 of 2023 on the file of the respondent.

For Petitioner : Mr.M.Illiyas
For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal side)

ORDER

The petitioner seeks bail in Crime No.420 of 2023, on the file of the respondent registered under Sections 341, 294 (b), 392, 397, 506 (ii) IPC. The petitioner had been remanded to judicial custody on 31.10.2023.



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2. It is stated that all the accused had restrained the defacto complainant and robbed cash of Rs.950/-. It is however stated that there are 12 cases against the petitioner herein of various nature.

3. But however, taking into consideration the period of incarceration suffered by the petitioner and all other surrounding factors, I am inclined to grant bail to the petitioner subject to the following conditions.

4. 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 XV Metropolitan Magistrate, G.T., 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.



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[b] the petitioner shall report before the respondent everyday at 10.00 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.

06.12.2023

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C.V.KARTHIKEYAN, J.

sli

To

1. The XV Metropolitan Magistrate, G.T., Chennai.

2.The Inspector of Police,
H-1, Washermenpet Police Station,
Chennai.

3.The Central Prison, Puzhal, Chennai.

4.The Public Prosecutor, Madras High Court.

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