



Crl.O.P.No.27447 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

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

Crl.O.P.No.27447 of 2023

Mari @ Korukkupet Mari

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
P-1, Pulianthope Police Station,
Chennai.

(Crime No.616 of 2022)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in S.C.No.66 of 2023 on the file of the XVI Additional Sessions Court, Chennai, on such terms and conditions.

For Petitioner : Mr.R.Muthukumar

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



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ORDER

The petitioner/A1 in S.C.No.66 of 2023, now pending before the XVI Additional Sessions Court, Chennai, seeks bail. Originally, Crime No.616 of 2022 had been registered by the respondent police for the offences punishable under Sections 147, 148, 324, 307 and 506(2) of IPC and later altered into Sections 147, 148, 324, 302 & 506(2) of IPC.

2.Let me not enter into details of the facts since charge sheet had been filed and the same had been taken cognizance and actually committed to the Court of Sessions.

3.It is stated that there are totally five accused and the petitioner is A1. A2 to A5 had been granted bail. It had been observed that the learned XVI Additional Sessions Judge, Chennai, may endeavour to post S.C.No.66 of 2023, on a day to day basis and complete the trial by noting dated 07.12.2023. It is now informed that process has been initiated to recall P.W.1 to P.W.5. Since bonafide has been expressed to participate in the trial process, I am inclined to grant bail to the petitioner subject to the following conditions:



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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 XVI Additional Sessions Court, 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 appear before the XVI Additional Sessions Court, Chennai, on every Monday at 10.30 a.m., till completion of trial, apart from the Court hearing dates.

[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



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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.

15.12.2023

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To

1. The XVI Additional Sessions Court, Chennai.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
P-1, Pulianthope Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.
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