



Crl.O.P.No.26632 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM

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

Crl.O.P.No.26632 of 2023

Ajith S/o. Stephen

...Petitioner/Accused 3

Vs.

State, represented by
The Inspector of Police,
R-2, Kodambakkam Police Station,
Chennai District.

(Crime No.184 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.184 of 2023, on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.P.Chandrasekar

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



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ORDER

The petitioner/A3 seeks bail in Crime No.184 of 2023, registered by the respondent police for the offences punishable under Sections 341, 294(b), 324, 397 and 506(ii) of IPC, with respect to an offence which took place on 05.09.2023.

2.It is stated that all the three accused persons had attempted to rob the defacto complainant but they did not find any cash but however, had taken his chain. The chain had been subsequently recovered from the accused persons.

3.It is also stated that there are ten previous cases against the petitioner herein but however, taking into consideration the period of incarceration, 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 his executing 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 XVII Metropolitan Magistrate, Saidapet and on further conditions that :-



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[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his 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.

24.11.2023

rjr/ata



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C.V.KARTHIKEYAN. J.

rjr

To

1. The XVII Metropolitan Magistrate, Saidapet.
2. Central Prison, Puzhal.
3. The Inspector of Police,
R-2, Kodambakkam Police Station,
Chennai District.
4. The Public Prosecutor,
High Court of Madras.

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