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CrI.O.P.No.26887 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2023

CORAM

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

CrI.OP.No.26887 of 2023

1.Gopal
2.Tamilarasan
3.Ragul @ Rajamanikkam

...Petitioners

Vs.

The State rep.by
The Inspector of Police,
M-1, Madhavaram Police Station,
Chennai District.

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in FIR in Crime No.466 of 2023 on
the file of the respondent police.

For Petitioners : Mr.M.Soundar Vijay Arul Ram
For Intervenor : Mrs. R.Sripriya
For Respondent : Mr.R.Kishore Kumar
Government Advocate (CrI.Side)

ORDER

The petitioners in Crime No.466 of 2023 registered by the
respondent Police for the offences under Sections 170, 451, 392, 506 (1) r/w
Section 34 IPC and remanded to judicial custody on 07.10.2023 seek bail.



Crl.O.P.No.26887 of 2023

WEB COPY

2.It is the case of the prosecution that the defacto complainant was doing iron scrap business and staying at a lodge near Madhavaram rountana. The accused persons entered into the room claiming to be police officials and told him that he is required for investigation. They took his mobile phone and asked him to enter into a Car bearing registration No.TN 07 BZ 3460. The defacto complainant refused to get into the car. There was a quarrel at that point of time and the accused had snatched four Samsung mobile phones and assaulted the defacto complainant and left the place.

3.The defacto complainant has also filed an application seeking to intervene in the proceedings. It is stated that the main accused is still at large. But however, the learned Government Advocate (Crl.Side) stated that steps are taken to secure the main accused.

4.Taking all the factors into consideration and all the surrounding factors, this Court is inclined to grant bail to the petitioners subject to the following conditions.

5.Accordingly, the petitioners are ordered to be released on bail on



CrI.O.P.No.26887 of 2023

condition to execute 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 **District Munsif cum Judicial Magistrate, Madhavaram**, 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, daily at 10.00 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 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



WEB COPY



CrI.O.P.No.26887 of 2023

Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 229A IPC.

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19.12.2023

To

1. The District Munsif cum Judicial Magistrate, Madhavaram.
- 2.The Inspector of Police,
M-1, Madhavaram Police Station,
Chennai District.
- 3.Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor, Madras High Court.

C.V.KARTHIKEYAN, J.



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Crl.O.P.No.26887 of 2023

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Crl.OP.No.26887 of 2023

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