



CrI.O.P.No.27204 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

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

CrI.O.P.No.27204 of 2023

Akkim

...Petitioner

Vs.

The State, represented by
Inspector of Police,
J-1, Saidapet Police Station,
Chennai-18.
(Crime No.611 of 2021)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in P.R.C.No.79 of 2022 pending investigation on the file of the Respondent police on such terms and conditions.

For Petitioner : Mr.R.Parthiban

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



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CrI.O.P.No.27204 of 2023

ORDER

The petitioner/A6 seeks bail in P.R.C.No.79 of 2022, pending before the learned IX Metropolitan Magistrate, Saidapet, Chennai for the offences punishable under Sections 143, 147, 341, 294(b), 326, 307, 397 and 506(ii) of IPC in Crime No.611 of 2021.

2.It is stated that there are 7 accused. A4 is still absconding. NBW is pending. So far as the petitioner is concerned, NBW was issued on 07.08.2023 and the petitioner was taken into custody on 07.11.2023.

3. It is stated that A4 has been absconding and that, the prosecution would take steps to split the case as against A4.

4.Taking into consideration all these factors, since earlier bail had been granted and the petitioner was absent only for on hearing dates, I am inclined to grant bail to the petitioner subject to the following conditions.

5.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, for a like sum to the satisfaction of the learned



CrI.O.P.No.27204 of 2023

WEB COPY

IX Metropolitan Magistrate Court, Saidapet, Chennai and on further conditions that :-

[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 IX Metropolitan Magistrate Court, Saidapet, Chennai everyday at 10.30 a.m., till the matter is committed to Court of sessions and thereafter, on every Monday at 10.30a.m., till the framing of charges and thereafter, during the court hearing dates. Two fresh sureties to produce or the same sureties may once again execute the same bond to the satisfaction of the IX Metropolitan Magistrate Court, Saidapet, Chennai.

[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].



CrI.O.P.No.27204 of 2023

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

11.12.2023

nvi

To

- 1.The IX Metropolitan Magistrate Court, Saidapet, Chennai.
- 2.The Central Prison, Puzhal.
- 3.The Inspector of Police,
J-1, Saidapet Police Station,
Chennai-18.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN,J.,



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CrI.O.P.No.27204 of 2023

nvi

CrI.O.P.No.27204 of 2023

11.12.2023