



Crl.O.P.No.27443 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2023

CORAM

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

Crl.O.P.No.27443 of 2023

S.Rajasekar

...Petitioner/Accused -3

Vs.

State by
The Inspector of Police,
K-1, Sembiam Police Station,
Chennai.

(Crime No.161 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.161 of 2023 on the file of respondent police on such terms and conditions.

For Petitioner : Mr.K.P.Chandrasekaran

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



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ORDER

The petitioner/A3 seeks bail in Crime No.161 of 2023, originally registered by the respondent police for the offences punishable under Section 174 Cr.P.C. and subsequently altered to Section 306 IPC. He had surrendered and remanded to custody on 03.11.2023.

2.The petitioner is the son of another accused/A.Senthamarai.

3.It is the case of the prosecution A1 had borrowed a sum of Rs.2/- lakhs from the deceased and when return was sought, there was a threat. The wife of the deceased had actually given a complaint regarding the threat. Subsequently, there was a further threat held out and owing to that, the deceased had committed suicide.

4.It is stated that all the accused had surrendered before the V Metropolitan Magistrate, Egmore, Chennai, on 03.11.2023.



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5.Taking into consideration the fact that bail had been granted to all the accused and that investigation had progressed to a substantial extent, I am inclined to grant bail to the petitioner subject to the following conditions:

6.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 V Metropolitan Magistrate, Egmore, 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 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.



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[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.

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To

1. The V Metropolitan Magistrate, Egmore, Chennai.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
K-1, Sembiam Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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