



Crl.O.P.No.27664 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM

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

Crl.O.P.No.27664 of 2023

Nirmal Kumar @ Baba

...Petitioner/Accused-4

Vs.

State represented by
The Inspector of Police,
M-7, Manali New Town Police Station,
Chennai.

(Crime No.390 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.390 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.S.Senthil Kumar

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



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ORDER

The petitioner/A4 seeks bail in Crime No.390 of 2023, registered by the respondent police for the offences punishable under Sections 294(b), 353, 307 & 506(ii) of IPC. The petitioner had been taken into custody on 24.10.2023.

2.It is stated that the petitioner and other accused were disturbing the general peace in the public and when the respondent went there, they also abused and attacked the respondent. This led to registration of FIR.

3.Taking into consideration all the facts and also the fact that the injured had been discharged from the hospital and 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 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



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of the Judicial Magistrate – II, Ponneri, Thiruvallur District, 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 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.

08.12.2023

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate-II, Ponneri, Thiruvallur District.
2. The Central Prison No.II, Puzhal, Chennai.
- 3.The Inspector of Police,
M-7, Manali New Town Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

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