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Crl.O.P.No.27873 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2023

CORAM

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

Crl.O.P.No.27873 of 2023

Rajesh S/o. Senthamarai

... Petitioner/Accused

Vs.

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

(Crime No.161 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.161 of 2023 on the file
of the respondent.

For Petitioner : Mr.K.P.Chandrasekaran

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



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ORDER

The petitioner 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 been arrested and remanded into judicial custody on 19.09.2023.

2.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.

3.This Court had considered the application seeking bail for A2 in Crl.O.P.No.26285 of 2023 and granted bail on 27.11.2023.

4.It is stated that A3 had also surrendered.

5.In view of the aforementioned circumstances, 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



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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.

[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.

13.12.2023

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C.V.KARTHIKEYAN, J.

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To

1.The V Metropolitan Magistrate, Egmore, Chennai.

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

3.The Central Prison, Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.

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