



CrI.O.P.No.27633 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM

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

CrI.O.P.No.27633 of 2023

Surender S/o. Sankar

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Avadi Police Station,
Avadi.

(Crime No.823 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.823 of 2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.M.Jaisingh

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



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ORDER

The petitioner seeks bail in Crime No.823 of 2023, registered by the respondent police for the offences punishable under Sections 341, 294(b), 323, 353, 427, 307 of IPC. The petitioner had been remanded to custody on 04.11.2023.

2.It is stated that the petitioner is the auto driver. There was a MTC bus, which was also coming and there was altercation relating to giving of way.

3.It is stated that this altercation accelerated into violence. The defacto complainant is the conductor of the bus and the injured is the driver of the bus. It is stated that the injured had to be hospitalized for about three days. At any rate, he had been discharged from the hospital.

4.Taking all these factors into consideration and the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:



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5. 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 of the Judicial Magistrate No.II, Poonamallee, 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



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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 Judicial Magistrate No.II, Poonamallee.
2. The Central Prison, Puzhal, Chennai.
- 3.The Inspector of Police,
Avadi Police Station,
Avadi.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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