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Crl.O.P.No.28554 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2023

CORAM

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

Crl.O.P.No.28554 of 2023

Dhanush S/o. Seenivasan

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

(Crime No.344 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in S.C.No.215 of 2023 pending on the
file of the learned VI Additional Sessions Judge, Chennai.

For Petitioner : Mr.T.V.Somasundaram

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



CrI.O.P.No.28554 of 2023

WEB COPY

ORDER

The petitioner is A1 in S.C.No.215 of 2023, now pending before the VI Additional Sessions Judge, Chennai, seeks bail. Originally, Crime No.344 of 2022 had been registered for the offences punishable under Sections 147, 148, 341, 294(b), 326, 307, 364, 506(ii) of IPC r/w 149 of IPC (2 counts).

2.Subsequent to investigation, final report had been filed and now the matter is pending trial with the VI Additional Sessions Judge, Chennai, in S.C.No.215 of 2023.

3.The petitioner, for some reason, had not appeared before the Court on 31.10.2023 and NBW was issued and he was secured on 15.11.2023.

4.Taking all the factors into consideration, 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 condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two fresh sureties, each for a like sum to the satisfaction of the VI Additional Sessions Judge, Chennai, and on further conditions that: -



Crl.O.P.No.28554 of 2023

WEB COPY

[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 VI Additional Sessions Judge at Chennai, on every Monday at 10.30 a.m., till completion of trial, apart from the Court hearing dates.

[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.

21.12.2023

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C.V.KARTHIKEYAN, J.



WEB COPY



Crl.O.P.No.28554 of 2023

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To

1.The VI Additional Sessions Judge, Chennai.

2.The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai.

3.The Central Prison II, Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.28554 of 2023

21.12.2023