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CrI.O.P.No.28338 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2023

CORAM

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

CrI.O.P.No.28338 of 2023

Ayyanar S/o. Arjunan

... Petitioner/Accused

Vs.

The State represented by
The Station House Officer,
Sedarapet Police Station,
Puducherry.

(Crime No.57 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.57 of 2023 on the file of
the respondent.

For Petitioner : Mr.E.Anbarasan

For Respondent : Mr.K.S.Mohandass
Public Prosecutor
Puducherry



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ORDER

The petitioner seeks bail in Crime No.57 of 2023, registered by the respondent police for the offences punishable under Section 307 of IPC. The petitioner had been remanded to custody on 01.11.2023.

2.The victim is related to the petitioner herein. It is stated that on 31.10.2023, the petitioner, for some strange reason, appears to have stabbed the victim on the right ear and causing injuries. The victim has now been discharged from hospital.

3.According to the learned Public Prosecutor, Puducherry, a blood strained knife had also been recovered on the basis of confession but there are no other previous cases against the petitioner.

4.Taking into consideration the period of incarceration, 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 sureties, each for a like sum to the satisfaction of the Judicial Magistrate IV, Pondicherry, and on further conditions that: -



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[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.

21.12.2023

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C.V.KARTHIKEYAN, J.
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To

- 1.The Judicial Magistrate IV, Pondicherry.
- 2.The Station House Officer,
Sedarapet Police Station,
Puducherry.
- 3.The Central Prison, Pondicherry.
4. The Public Prosecutor,
High Court of Madras.

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