



Crl.O.P.No.28043 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2023

CORAM

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

Crl.O.P.No.28043 of 2023

Manikandan @ Soorai Mani

... Petitioner/Accused-1

Vs.

The State represented by
The Inspector of Police,
Perumbakkam Police Station,
Chengalpattu District.

(Crime No.266 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.266 of 2023 on the file
of the respondent police on such terms and conditions.

For Petitioner : Mr.T.Elumalai

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



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ORDER

The petitioner/A1 seeks bail in Crime No.266 of 2023, registered by the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 324, 307 & 506(ii) of IPC. The petitioner had been remanded to judicial custody on 01.10.2023.

2.It is stated that A2 to A5 had been granted bail but as against this particular petitioner, it is stated that there was an earlier detention under Tamil Nadu Act 14 of 1982 and after he had been released from the said detention, he had again committed the present offence.

3.It is also stated that there are previous cases both under Section 302 and 307 IPC as against the petitioner herein.

4.The earlier application of the petitioner seeking bail in Crl.O.P.No.26804 of 2023 had been dismissed on 27.11.2023. The one change in circumstance is that further period of incarceration and that investigation has been practically completed and A2 and A3 had also been granted bail.

5.Taking into consideration all these factors, I am inclined to grant bail to the petitioner subject to the following conditions:



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6. 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 Judicial Magistrate No.II, Alandur, 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.

14.12.2023

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C.V.KARTHIKEYAN, J.

ata

To

1.The Judicial Magistrate No.II, Alandur

2.The Inspector of Police,
Perumbakkam Police Station,
Chengalpattu District.

3.The Sub-jail, Chengalpattu.

4. The Public Prosecutor,
High Court of Madras.

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