



Crl.O.P.No.28197 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2023

CORAM

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

Crl.O.P.No.28197 of 2023

Bhuaneshwaran @ Mukesh

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
K-9, T.V.K Nagar Police Station,
Chennai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in C.C.No.4367 of 2020 in Crime
No.940 of 2019 on the file of the respondent police on such terms and
conditions.

For Petitioner : Mr.B.Kalaiarasan

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



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ORDER

The petitioner/A2 in CC.No.4367 of 2020, now pending before the V Metropolitan Magistrate, Egmore, Chennai. Originally, Crime No.940 of 2019 had been registered for the offences punishable under Section 379 of IPC.

2.It is stated that originally a Non-bailable warrant had been issued on 15.03.2021 as against the petitioner herein.

3.The learned counsel for the petitioner stated that on 15.04.2023, the petitioner was detained under Tamil Nadu Act 14 of 1982 and thereafter, the said detention order had been revoked.

4.It is also stated that the petitioner was taken into custody on execution of PT warrant. It is also stated that with respect to one other case bail had been granted to the petitioner and the matter is now posted on 15.02.2024 for appearance of A1.

5.Taking all the factors into consideration, 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 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 V



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Metropolitan Magistrate, Egmore, 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 appear before the V Metropolitan Magistrate, Egmore, Chennai, everyday at 10.30 a.m., till framing of charges and thereafter, appear before the V Metropolitan Magistrate, Egmore, Chennai, on every Monday at 10.30 a.m., till commencing of trial and thereafter, on 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.

18.12.2023

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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-9, T.V.K Nagar Police Station,
Chennai.
- 3.The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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