



CrI.O.P.No.1971 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2024

CORAM

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

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Aswin @ Appu

...Petitioner/Accused-2

Vs.

State represented by
The Inspector of Police,
Arakkonam Town Police Station,
Ranipet District.

(Crime No.641 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.641 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.A.Gopinath

For Respondent : Mr.L.Baskaran
Government Advocate (CrI. Side)



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ORDER

The petitioner seeks bail in Crime No.641 of 2023, registered by the respondent police originally for the offences under Sections 341 and 384 of IPC and subsequently altered to Sections 341 & 384 of IPC and Section 25(1A) of Arms Act. The petitioner had been remanded to custody on 12.12.2023.

2.The accused persons had waylaid the defacto complainant and shown knife and took Rs.800/-.

3.It is stated that there is one previous case against the petitioner herein and the petitioner is the student of B.A English Literature in Pachayappas College.

4.The learned Government Advocate (Crl. Side) for the respondent stated that some strict conditions should be imposed as a condition that the petitioner should do service at the casualty ward of Stanley Government Medical College and Hospital, Chennai.



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5. Taking all these factors into consideration, I am inclined to grant bail to the petitioner herein 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 sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Arakkonam, 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 should render some service in the casualty ward of Stanley Government Medical College and Hospital, Chennai, for a period of 10 days between 9.30 a.m., to 1.30 p.m., and a diary in this regard may be submitted to the learned Judicial Magistrate, Arakkonam, and thereafter, the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not abscond either during investigation or trial.



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[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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To

1. The Judicial Magistrate, Arakkonam.
2. The Central Prison, Vellore.
3. The Inspector of Police,
Arakkonam Town Police Station,
Ranipet District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.
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