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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.02.2024
CORAM

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

Crl.O.P.No.4865 of 2024

Prashanth @ Tyson ... Petitioner

Vs.

State represented by its
Inspector of Police,
G-1 Vepery Police Station
Chennai
(Crime No.426 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.426 of 2023 on the file of the respondent.

For Petitioner : Mr.C. Jagan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.12.2023, for the offences registered under Sections 341,294(b),323,336,392,397,506(ii) of I.P.C, in Crime No.426 of 2023 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner along with other

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accused waylaid the defacto complainant at knife point and robbed a sum of Rs.500/- from him.

3.The main objection raised against the respondent is that there are 15 previous cases pending against the petitioner. However, the facts of this case should looked in a isolated manner..

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 learned **II Metropolitan Magistrate, Egmore Court , Chennai** 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.

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[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.

29.02.2024

smn

To

1.The **II Metropolitan Magistrate, Egmore Court , Chennai**

2.Inspector of Police,
G-1 Vepery Police Station
Chennai

3. The Central Prison, Puzhal -2.

4. The Public Prosecutor, High Court of Madras.

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C.V.KARTHIKEYAN, J.

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