



WEB COPY



Crl.O.P.No.2523 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

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

Crl.O.P.No.2523 of 2024

Mani @ CC Mani @ Manikandan

...Petitioner/Accused

Vs.

State represented by
The Station House Officer,
Madhavaram Police Station,
Chennai.

(Crime No.106 of 2021)

...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.106 of 2021 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.A.Tamilvanan

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

ORDER

The petitioner seeks bail in Crime No.106 of 2021, registered by the respondent for the offences under Sections 341, 324, 506(II) @ 147,



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148, 341, 324, 307, 506(II) of IPC. The petitioner had been remanded to judicial custody on 25.12.2023.

2.It is stated that there are eight accused. The petitioner and the other accused had waylaid the defacto complainant and attacked him causing injuries.

3.The learned counsel for the petitioner pointed out the statement in the First Information Report that the injured was prepared to take treatment for the injuries and therefore, contended that the injuries were not serious in nature. It is also stated that two of the accused have also been granted relief by this Court.

4.A perusal of counter affidavit filed shows that the investigation is in progress and five witnesses have also been examined.

5.Taking into consideration the period of incarceration and it is also seen that there are three previous cases against the petitioner and taking all the factors into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

4.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



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Thousand only) with two sureties, each for a like sum to the satisfaction of the District Munsif cum Judicial Magistrate, Madhavaram, 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.

15.02.2024

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C.V.KARTHIKEYAN. J.
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To

1. The District Munsif cum Judicial Magistrate, Madhavaram.
2. The Central Prison, Puzhal, Chennai.
3. The Station House Officer,
Madhavaram Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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