



Crl.O.P.No.2608 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

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

Crl.O.P.No.2608 of 2024

1.Surya

2.Dinesh @ Bai Dinesh

... Petitioners

Vs.

The State represented by
The Inspector of Police,
Kadambathur Police Station,
Thiruvallur District.
Crime No.419 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioners on bail in Crime No.419 of 2023 on the file
of the respondent Police.

For Petitioners : Mr.R.Sasikumar

For Respondent : Mr.L.Baskaran

Government Advocate (Crl. Side)

ORDER

The petitioners who were arrested and remanded to judicial
custody on 22.12.2023 for the offences registered under Sections 294(b), 353



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of IPC r/w Section 7(1)(a) of Criminal Law Amendment Act 2005 and Sections 25(1A) of Arms Act, 1959, in Crime No.419 of 2023, on the file of the respondent Police, seek bail.

2.It is the case of the prosecution that the petitioners were found in possession of long knife and they were threatening the public.

3.It is stated by the learned Government Advocate (crl.side) that there is one previous case against the first petitioner and there are four previous cases against the second petitioner.

4.Taking all other factors into consideration and also considering the period of incarceration, I am inclined to grant bail to the petitioners subject to the following conditions:

5.Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate 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 Judicial Magistrate No.II, Thiruvallur, 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.



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[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders.

[c]the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

08.02.2024

vkr

To

1.The Judicial Magistrate No.II, Thiruvallur.

2.The Inspector of Police,
Kadambathur Police Station,
Thiruvallur District.

3.The Central Prison, Puzhal.

4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN,J.
Vkr

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