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Crl.O.P.No.3627 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

CORAM

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

Crl.O.P.No.3627 of 2024

Salam @ Abdul Salam

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.

(Crime No.47 of 2019)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in S.C.No.196 of 2022 on the file of the learned VII Additional Sessions Judge, Chennai, with certain terms and conditions:

For Petitioner : Mr.M.Illiyas

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



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ORDER

The petitioner/A1 in S.C.No.196 of 2022, now pending trial before the learned VII Additional Sessions Judge, Chennai, seeks bail. Originally Crime No.47 of 2019 had been registered for the offences under Sections 452, 294(b), 392 r/w 397, 394, 506(ii) of IPC. The petitioner had been remanded to judicial custody on 02.12.2023 on execution of Non-bailable warrant issued on 01.06.2023.

2.It is stated that A2 is still in custody. There are two previous cases against the petitioner.

3.It is contended by the learned counsel for the petitioner that while the petitioner coming to the Court, there was an accident and he fell down and suffered fracture on the right leg.

4.Taking all the factors into consideration, 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 fresh sureties, each for a like sum to the



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satisfaction of the VII Additional Sessions Judge, 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 VII Additional Sessions Judge, Chennai, on every Monday at 10.30 a.m., till completion of trial, apart from the 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.

16.02.2024

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C.V.KARTHIKEYAN. J.

ata

To

1. The VII Additional Sessions Judge, Chennai.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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