



Crl.O.P.No.3952 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

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

Crl.O.P.No.3952,4078,3463 of 2024

1. Mukesh ...Petitioner/A1 in Crl.O.P.No.3952 of 2024

2. Bharath @ Aruvamanai Bharath
...Petitioner/A2 in Crl.O.P.No.4078 of 2024

3. N. Yuvaraj ...Petitioner/A3 in Crl.O.P.No.3463 of 2024

Vs.

The Inspector of Police,
H-8 Thiruvottiyur Police Station,
Chennai-600 081.
(Crime No.32 of 2024)

...Respondent in all Crl.O.P's

Prayer in Crl.O.P.No.3952,4078,3463 of 2024

Criminal Original Petitions are filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail concerned in Crime No.32 of
2024 on the file of the respondent police on such terms and conditions.



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(In Crl.O.P.No. 3952 and 4078 of 2024)

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

(In Crl.O.P.No. 3463 of 2024)

For Petitioner : Mr.K. Naveen Aravindan
For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

COMMON ORDER

The petitioners in Crl.O.P.Nos. 3952,4078,3463 of 2024 seek bail in Crime No.32 of 2024, registered by the respondent for the offences under Sections 392,394, 397 of I.P.C r/w 34 of I.P.C

2.Initially the petitioners were remanded to judicial custody on 13.01.2024 the with respect to the occurrence on 12.01.2024.The case of the prosecution is that the petitioners have way laid the defacto complainant and snatched cell phone and cash Rs.300/- at knife point. It **is stated that the petitioners were earlier involved in another case**



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and when they are in judicial custody thereafter the petitioners were formally arrested in this case on 29.01.2024.

3. The learned Government Advocate(crl side) submitted that there are six previous case against A1 and 5 previous cases against A2 and 8 previous cases against A3.

4.Taking all the factors into consideration and the period of incarceration suffered by the petitioners, 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 bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Thiruvottiur** , 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 Petitioner/A1 in Crl.O.P.No.3952 of 2024 shall stay at Nagercoil and report before the **Kottar Police Station, NH47, Meenakshipuram, Vadiveeswaram Village, Ozhuginasery, Nagercoil** everyday at 10.30 a.m., for a period of twenty days and thereafter before the respondent police everyday at 10:30 a.m until further orders. The Petitioner/A2 in Crl.O.P.No.4078 of 2024 shall stay at Nagapattinam and report before the **Nagapattinam Town police Station-I** everyday at 10.30 a.m., for a period of twenty days and thereafter before the respondent police everyday at 10:30 a.m until further orders. Petitioner/A3 in Crl.O.P.No.3463 of 2024 shall stay at Namakkal and report before the **Namakkal Town Police Station, Namakkal** everyday at 10.30 a.m., for a period of twenty days and thereafter 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.



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C.V.KARTHIKEYAN. J.

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To

1. The **learned Judicial Magistrate, Thiruvottiur**
2. The Inspector of Police,



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H-8 Thiruvottiyur Police Station,
Chennai-600 081.
(Crime No.32 of 2024)

3. The Central Prison, Puzhal

5. The Public Prosecutor,
High Court of Madras.

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