



WEB COPY



Crl.O.P.No.5996 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

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

Crl.O.P.No.5996 of 2024

1.Irfan

2.Uma Maheshwaran @ Appu

... Petitioners

Vs.

State represented by
Inspector of Police,
F-1, Chintadaripet Police Station
Chennai
(Crime No.1 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioners on bail in Crime No.1 of 2024 on the file of
the respondent.

For petitioners : Mr.R.Rafi Babu

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

ORDER

The petitioners/A5 & A6, who were arrested and remanded to
judicial custody on 12.01.2024 and 21.01.2024, for the offences registered



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under Sections 341, 170, 342, 394, 392, 506(ii) of IPC altered to 341, 170, 342, 395, 506(ii) of IPC r/w 120(B) of IPC in Crime No.1 of 2024 on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the petitioners along with other accused impersonated themselves as police officials and waylaid the defacto complainant and kidnapped him in a two wheeler and robbed 10,000 Euro Currencies from him. Hence, the complaint.

3. The learned Government Advocate for the respondent stated that some of the accused had been detained under Goondas Act and there is a proposal to detain A8 under Goondas Act.

4. The learned counsel for the petitioner stated that A7 had been granted bail by this Court in Crl.O.P.No.5318 of 2024 on 05.03.2024.

5. Taking that factor into consideration and the period of incarceration, I am inclined to grant bail to the petitioners subject to the following conditions:

6. 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 **XIV Metropolitan Magistrate, Egmore Chennai** and on



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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 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.

11.03.2024

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C.V.KARTHIKEYAN, J.

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To

- 1.The XIV Metropolitan Magistrate, Egmore Chennai
2. The Inspector of Police,
F-1, Chintadaripet Police Station
Chennai.
- 3.The Central Prison II, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.

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