



Crl.O.P.No.7117 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

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

Crl.O.P.No.7117 of 2024

Feroz Khan

...Petitioner/A5

Vs.

State represented by
The Inspector of Police,
H-1, Old Washermepet Police Station,
Chennai.
Crime No.1014 of 2020

...Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in S.C.No.399 of 2023 on the file of the learned XVIII Additional Sessions Judge, Chennai.

For petitioner : Mr.A.Samson

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)



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ORDER

The petitioner / A5 in S.C.No.399 of 2023 pending before the learned XVIII Additional Sessions Judge, Chennai, who had been remanded to custody on 13.02.2024 on execution of NBW issued on 22.08.2022, seeks bail.

2.Originally, Crime No.1014 of 2020 had been registered by the respondent for the offences punishable under Sections 294(b), 395 r/w 397, 427 and 506(ii) IPC.

3.It is stated that after completing the investigation, final report had been filed and the same has been taken cognizance in S.C.No.399 of 2023 by the learned XVIII Additional Sessions Judge, Chennai. It is stated that the absence of the petitioner was due to the reason that his father was hospitalized.



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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 executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two fresh sureties, out of which, **one surety must either be a blood surety and other surety must be a local surety**, each for a like sum to the satisfaction of the learned XVIII Additional Sessions Judge, Chennai. The sureties should be independently tested by the learned XVIII Additional Sessions Judge, Chennai.

[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 appear before the learned XVIII Additional Sessions Judge, Chennai, everyday at 10.30 AM apart from Court hearing dates, till completion of trial.

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



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[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.

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To

- 1.The XVIII Additional Sessions Judge, Chennai.
2. The Central Prison, Puzhal - II.
3. The Inspector of Police,
H-1, Old Washermepet Police Station,
Chennai.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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