



Crl.O.P.No.7166 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM

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

Crl.O.P.No.7166 of 2024

Prakash @ Kulla Prakash

..Petitioner

Vs.

State represented by
The Inspector of Police,
K-7, ICF Police Station, Chennai.
(Crime No.60 of 2022).

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in C.C.No.16178 of 2022 pending on the file of the learned V Metropolitan Magistrate, Chennai.

For Petitioner : Mr.R.Muthukumar

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

ORDER

The petitioner who is arrayed as A1 in C.C.No.16178 of 2022 now pending before the learned V Metropolitan Magistrate, Egmore, Chennai, seeks bail.



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2.Originally, Crime No.60 of 2022 had been registered by the respondent Police under Sections 379 and 511 IPC.

3.The petitioner absconded from judicial process necessitating Non Bailable Warrant to be issued on 18.07.2023 and the petitioner was secured only on 23.11.2023.

4.The learned counsel for the petitioner stated that the petitioner did not appear before the Court owing to heavy fever.

5.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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 sureties, out of which, one must be a blood surety, each for a like sum to the satisfaction of the learned V Metropolitan Magistrate, Egmore, 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



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obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the learned V Metropolitan Magistrate, Chennai. on every Monday, apart from the Court hearing dates, till completion of the trial.

[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.

22.03.2024

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C.V.KARTHIKEYAN. J.

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To

- 1.The V Metropolitan Magistrate, Egmore, Chennai.
- 2.The Central Prison, Puzhal.
- 3.The Inspector of Police,
K-7, ICF Police Station, Chennai.
- 4.The Public Prosecutor, High Court of Madras.

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