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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.7472 of 2024

Manikandan @ Kudaimani

... Petitioners

Vs.

State Rep by.
The Inspector of Police
D-3, Ice House Police Station,
Chennai District. Crime No. 167 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to order enlarge the petitioner on bail in crime No. 167 of 2023 on
the file of the respondent.

For Petitioner : Mr.T.Balachandran
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.02.2024 for the alleged offences punishable under Sections Section 406 and 420 IPC **in crime No. 167 of 2023** on the file of the respondent, seeks bail.

2. The case of the prosecution the after completing the lease period the petitioner did not repaid lease amount to the tune of Rs.2,90,000/- to the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. However, he ready to deposit a sum of Rs.50,000/- to the crime number.

4. Considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with the following conditions:



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5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Metropolitan Magistrate No.2, 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 obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three months. Further, the petitioner is directed to deposit a sum of **Rs.50,000/-** to the crime No. 167 of 2023 within a period of two weeks from the date of receipt of a copy of this order and the victim is permitted to withdraw the same;

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

[d] the petitioner shall not tamper with evidence



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

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T.V.THAMILSELVI,J.

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To

1. The Metropolitan Magistrate No.2, Egmore, Chennai.

2. The Inspector of Police
D-3, Ice House Police Station,
Chennai District.

3. The Central Prison,Puzhal, Chennai.

4. The Public Prosecutor,
High Court of Madras.

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