



Crl.O.P.No.11070 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

Crl.O.P.No.11070 of 2024

1. David Prabakaran

2. Suresh

...Petitioners

Vs.

The State represented by
The Inspector of Police,
N-1, Royapuram Police Station,
Chennai City.
(Crime No.131 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.131 of 2024 on the file of the respondent Police.

For petitioners : Mr. D.Selvam

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 17.04.2024 for the offences registered by the respondent Police under Sections 406, 420, 468, 471 & 474 of I.P.C in Crime No.131 of 2024, seek bail.

2.It is the case of the prosecution that the petitioners herein sold a car to the defacto complainant and they themselves came down to the defacto complainant premises and took the vehicle without the knowledge of the defacto complainant. Hence, the complaint.

3.The learned Government Advocate (crl.side) stated that there is no previous case against the petitioners.

4.Taking all the factors into consideration and the period of incarceration and also of the fact that there is no previous case against the petitioners, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioners are ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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only) each each with two sureties, each for a like sum to the satisfaction of the learned **XVI Metropolitan Magistrate Court, George Town, 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 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 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 XVI Metropolitan Magistrate Court,
George Town Chennai.
2. The Inspector of Police,
N-1, Royapuram Police Station,
Chennai City.
3. The Central Prison, Puzhal.
4. The Public Prosecutor, High Court of Madras.



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K. KUMARESH BABU. J.

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