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Crl.OP.Nos.12618 and 12620 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.05.2024

CORAM :

THE HONOURABLE MR. JUSTICE C. SARAVANAN

Crl.OP.Nos.12618 and 12620 of 2024

Vijayakumar

... Petitioner in both the Crl.O.Ps.

Vs.

State rep. by
The Inspector of Police
K-5, Peravallur Police Station
Chennai
(Crime No.25 of 2024)

... Respondent in Crl.OP.No.12618/2024

State rep. by
The Inspector of Police
K-1 Sembium Police Station
Chennai
(Crime No.26 of 2024)

... Respondent in Crl.OP.No.12620/2024

Common Prayer: Criminal Original Petition is filed under Section 439 of Cr.P.C., praying to enlarge the petitioner on bail in C.C.No.1392 of 2024 and C.C.No.1478 of 2024 pending on the file of the V Metropolitan Magistrate, Egmore, Chennai.



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In both Crl.O.Ps.

For Petitioner : Mr.M.Neelakandan
For Respondent : Mr.S.Vinoth Kumar
Government Advocate
(Criminal Side)

COMMON ORDER

In Crl.O.P.No.12618 of 2024, the petitioner was arrested and remanded to judicial custody on 07.02.2024 for the offences punishable under Sections 406, 420, read with 408, 470 and 471 IPC in Crime No.25 of 2024 on the file of the respondent police seeks bail.

2. In Crl.O.P.No.12620 of 2024, the petitioner who was arrested and remanded to judicial custody on 29.01.2024 for the offences punishable under Sections 406, 420, 469 read with 471, 484, 488 IPC in Crime No.26 of 2024 on the file of the respondent police seeks bail.

3. The petitioner has been arrested and remanded to judicial custody for the alleged offence of job racketing.

4. It is the case of the petitioner that the petitioner is also a victim and he has lodged a complaint as against one Sunil S/o.Jhillu Ram before the Senior Police Inspector, Tardeo, Mumbai, Maharashtra.



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5. The learned Government Advocate (Crl. Side) appearing for the respondent police confirmed that, in both the cases, investigation has been completed.

6. Considering the submissions made by the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) and considering the fact that the presence of the petitioner is no longer required for custodial interrogation, the petitioner is entitled for the order of bail subject to certain conditions.

7. 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, each for a like sum to the satisfaction of the **learned Vth Metropolitan Magistrate, Egmore, Chennai-8**, 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] in both the cases, the petitioner shall



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appear before the trial Court on all hearings, without fail.

[c] the petitioner shall not abscond during trial.

[d] the petitioner shall not tamper with evidence or witness during 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.

24.05.2024

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Note:

1. Registry is directed to forthwith upload this order in the official website of this Court.
2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have QR code.



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To

- 1.The Vth Metropolitan Magistrate
Egmore, Chennai-8
- 2.The Superintendent,
Central Prison, Puzhal
- 3.The Public Prosecutor,
High Court of Madras.
4. The Inspector of Police
K-5, Peravallur Police Station
Chennai
5. The Inspector of Police
K-1 Sembium Police Station
Chennai



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C. SARAVANAN, J.

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