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Crl.O.P.No.27598 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.27598 of 2024

Ashok Kumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
E-4, Abiramapuram Police Station,
Mylapore, Chennai.
(Crime No.209 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS Act, pleaded to enlarge the petitioner on bail, in connection with the Crime No.209 of 2024 dated 22.08.2024, on the file of the respondent Police.

For Petitioner : Mr.K.Kathiresan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 23.08.2024, seeking bail in Crime No.209 of 2024 registered for the offence under Section 306 of BNS.



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5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also taking note of the period of incarceration undergone by the petitioner from 23.08.2024, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **XXIII Metropolitan Magistrate Court, Saidapet**, 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;



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[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m. for a period of 30 days and thereafter, on every Monday at 10.30 a.m., until further orders;

[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 269 B.N.S.

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To

1. The XXIII Metropolitan Magistrate,
Saidapet.
2. The Inspector of Police,
E-4, Abiramapuram Police Station,
Mylapore, Chennai.
3. The Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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