



Crl.O.P.No.28190 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM

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

Crl.O.P.No.28190 of 2023

Premkumar S/o. Megavarman

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Maduravoyal Police Station,
Thiruvallur District.

(Crime No.769 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.769 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.P.Muthamizhselvakumar

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



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CrI.O.P.No.28190 of 2023

ORDER

The petitioner/A12 in Crime No.769 of 2023, registered by the respondent police for the offence under Sections 147, 148, 294(b), 302, 336, 341 & 506(ii) r/w 120B & 212 of IPC. The petitioner had been remanded to custody on 21.10.2023 for the occurrence which took place on 11.10.2023, seeks bail.

2.It is stated that A1 to A10 had been detained under Tamil Nadu Act 14 of 1982. It is also stated that A1 to A5 had committed murder of the deceased. It is stated that the specific overt act as against the petitioner is that he had arranged an Advocate to enable the accused to surrender and his name is also reflected in the confession of the co-accused.

3.It is also stated that he had also arranged transportation. But investigation has been completed and charge sheet has also been filed before the Judicial Magistrate II, Poonamallee, and the same has been



CrI.O.P.No.28190 of 2023

taken cognizance as PRC.No.5 of 2024. Taking that particular fact into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

4. 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, each for a like sum to the satisfaction of the Judicial Magistrate Court No.II, Poonthamallee, 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 Judicial Magistrate No.II, Poonamallee, everyday at 10.30 a.m., till the case is committal and thereafter, appear before the concerned Sessions Court everyday at 10.30 a.m., till the charges are framed and thereafter, on Court hearing dates.

[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.



CrI.O.P.No.28190 of 2023

WEB COPY

[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.

11.01.2024

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CrI.O.P.No.28190 of 2023

To

1. The Judicial Magistrate Court No.II, Poonthamallee.
2. The Central Prison, Puzhal.
- 3.The Inspector of Police,
Maduravoyal Police Station,
Thiruvallur District.
- 4.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.28190 of 2023

C.V.KARTHIKEYAN. J.
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Crl.O.P.No.28190 of 2023

11.01.2024