



CrI.O.P.No.29039 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

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

CrI.O.P.No.29039 of 2023

Darshan

... Petitioner

Vs.

State represented by
The Inspector of Police,
Redhills Traffic Investigation Wing,
Redhills,
(Crime No.740 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.740 of 2023 on the file of
the respondent.

For Petitioner : M/s. A. Suresh

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.12.2023, registered for the offences under Sections 279, 308 of I.P.C and 189 r/w 177 of Motor Vehicles Act in Crime No.740 of 2023 on the file of the respondent Police, seeks bail.

2. The petitioner is A4. There are are totally four accused in this case. It is stated that information had been given about bike wheeling at Vandalur to Meenjur 400 feet road and the petitioner was taken into custody.

3. The learned counsel for the petitioner has stated that the petitioner is a college student. It is contended on the side of the respondent that the petitioner has completed his college.

4. Taking all these factors into consideration and also considering the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:



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5. 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 learned **Judicial Magistrate No.II, Ponneri** 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 should render some service in the Casualty ward at Stanley Government General Hospital, Chennai-600 001 for a period of two weeks between 10:30 a.m to 1.00 p.m and witness the nature of injuries suffered by the victims who are admitted in the hospital and a diary in this regard may be submitted to the learned **Judicial Magistrate No.II, Ponneri**.

[c] The learned **Judicial Magistrate No.II, Ponneri** may inform the Principal of the Thiruthangal Nadar College, where the petitioner has completed his college about the FIR registered against the petitioner and the principal is directed to issue necessary certificates to the petitioner only after incorporating the present Crime no, if certificates have not yet been issued.



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[d]the petitioner shall report before the respondent police everyday at 5:30 p.m., until further orders.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

02.01.2024

smn

To

1.The Judicial Magistrate No.II, Ponneri

2.The Inspector of Police,
Redhills Traffic Investigation Wing,
Redhills,

3.The Central Prison-II, Puzhal

4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

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