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Crl.O.P.No.4022 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4022 of 2025

Sathish Kumar @ Madura

... Petitioner/A2

Vs.

The State represented by,
The Inspector of Police,
GRP Chennai Egmore Police Station,
Chennai.
(Crime No.290 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, pending Criminal Proceedings in PRC No.55 of 2023 on the file of the learned XVI Metropolitan Magistrate at George Town.

For Petitioner : Mr.P.Krishna Moorthy

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

ORDER

The petitioner/A2, who is facing trial for the offence under Section 174 Cr.P.C., @ 302 r/w 34 of the IPC, was granted bail earlier by the



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trial Court and as he did not appear before the trial Court, a NBW was issued on 13.06.2023 and the warrant was executed on 01.10.2024.

Hence, this petition for bail.

2. The learned counsel appearing for the petitioner submitted that the petitioner is not aware of the proceedings and in any case, considering the period of incarceration, the petitioner may be released on bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the case is pending committal and there is a warrant pending against the co-accused, which is yet to be executed and opposed the bail petition.

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. Considering the aforesaid fact, the period of incarceration and since further custody is not required for the purpose of investigation, this



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Court is inclined to grant bail to the petitioner on stringent conditions.

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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **XVI Metropolitan Magistrate, George Town.**

[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 committal Court, everyday 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,



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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.

17.02.2025

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SUNDER MOHAN., J.

ars

To

1. The XVI Metropolitan Magistrate,
George Town, Chennai.
2. The Inspector of Police,
GRP Chennai Egmore Police Station,
Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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