

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.08.2020

CORAM :

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

Crl.O.P.No.7258 of 2020

Elumalai

... Petitioner

- Vs. -

State represented by Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
Crime.No.82/2020.

... Respondent

Prayer: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code, to enlarge the petitioner on bail in Crime No.82 of 2020 on the file of the respondent police.

For Petitioner : Mr.N.Saravanan

For Respondent : Mr.T.Shanmugarajeswaran,
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The Petitioner seeks bail in respect of Crime No.82 of 2020 registered against him for the offences punishable under Sections 294(b), 304(ii) of IPC on the file of the respondent police.

2. Today when the matter is taken up for hearing, learned counsel for the petitioner submitted that the petitioner has been granted interim bail by this Court on 05.05.2020 for a period of 12 weeks.

3. Taking into consideration of the facts and circumstances of the case, the interim bail granted by this Court vide order dated 05.05.2020 is hereby, made absolute subject to the following conditions:

(a) Accordingly, the petitioner is directed to surrender on condition to execute two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the Judicial Magistrate-I, Vellore, within a period of two weeks after lifting of lockdown or the commencement of the Court's normal functioning, whichever is earlier, failing which, the bail granted by this Court shall stand dismissed automatically;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall appear before the learned Judicial Magistrate-I, Vellore on the first working day of every month at 10.30.a.m until further orders;

(d) the petitioner shall not commit any offences of similar nature;

(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 Judicial 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.

4. With the above directions, this Criminal Original Petition is ordered.

-sd/-

05/08/2020

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE-I,
VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
VELLORE TALUK POLICE STATION
VELLORE DISTRICT.

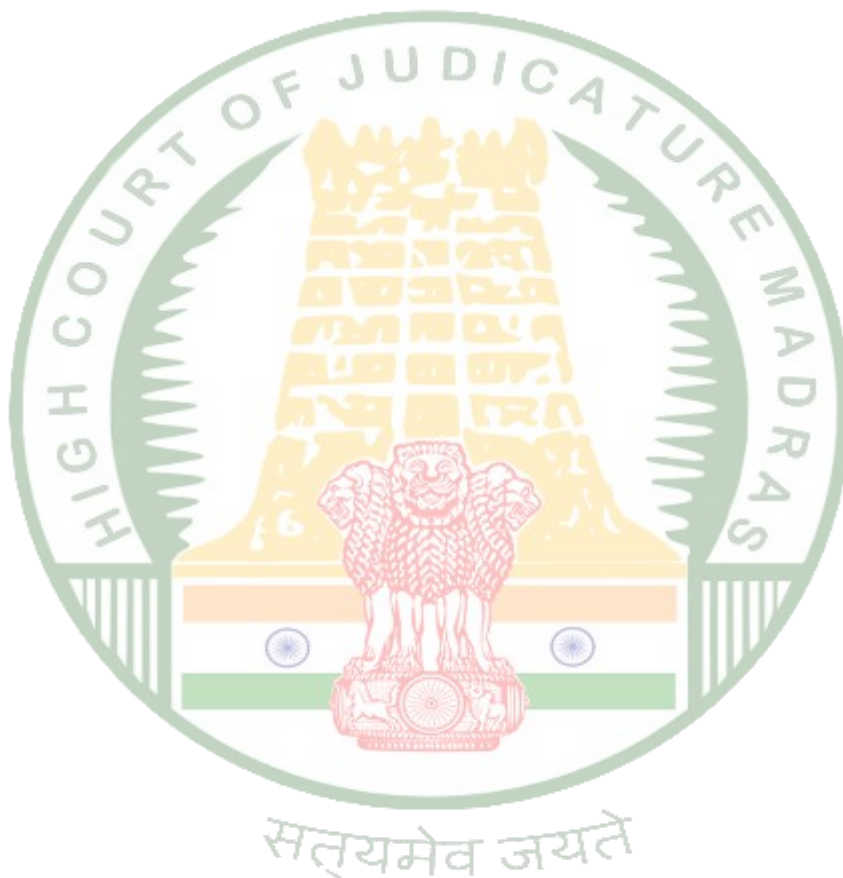
5 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

CC to M/S. N.SARAVANAN Advocate on payment of necessary charges

CRL OP.7258/2020

Date :05/08/2020

RVR 11/09/2020



WEB COPY