

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.Nos.7259 & 7260 of 2020

Sudhagar

... Petitioner in Crl.O.P.7259/2020

Selladurai

...Petitioner in Crl.O.P.7260/2020

Vs.

State rep. through the Inspector of Police
Thiruthuraipoondi Police Station
Thiruvarur District
(Crime No.134 of 2020)

... Respondent in both Crl.O.Ps.

COMMON PRAYER: Criminal Original Petitions are filed under Section 439 of Criminal Procedure Code to enlarge the petitioners on bail in Crime No.134 of 2020 pending investigation on the file of the respondent.

For Petitioners : Mr.M.Srinivasan in both Crl.O.Ps.

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

C O M M O N O R D E R

(These cases have been heard through video conference)

The petitioners, who were arrested and remanded to judicial custody on 19.03.2020 for the offence punishable under Sections 294(b), 302 and 307 IPC, in Crime No.134 of 2020, seek bail.

2.The learned counsel appearing for the petitioners would submit that the petitioners have been granted interim bail by this Court vide order dated 04.05.2020.

3.The learned Government Advocate (Criminal Side) would submit that the investigation in these cases have been completed and the final report has been filed before the learned Judicial Magistrate, Thiruthuraipoondi, Thiruvarur District.

4.Taking into the consideration of the fact that the petitioners in these cases have been granted interim bail by this Court vide order dated 04.05.2020 and the final report has also been filed before the learned Judicial Magistrate, Thiruthuraipoondi, Thiruvarur District, the interim bail granted by this Court vide order dated 04.05.2020 is hereby made absolute subject to the following conditions:

(a) Accordingly, the petitioners are directed to surrender on condition to execute two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the learned Judicial Magistrate, Thiruthuraipoondi, Thiruvarur District, 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 petitioners shall report before learned Judicial Magistrate, Thiruthuraipoondi, Thiruvarur District on the first working day of every month at 10.30 a.m until further orders.

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

(f) the petitioners shall not abscond either during investigation or trial;

(g) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(h) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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];

(i) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

5. With the above directions, these Criminal Original Petitions are ordered.

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-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,
THIRUTHURAIPOONDI

2 THE DISTRICT & SESSIONS JUDGE,
TIRUVARUR.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

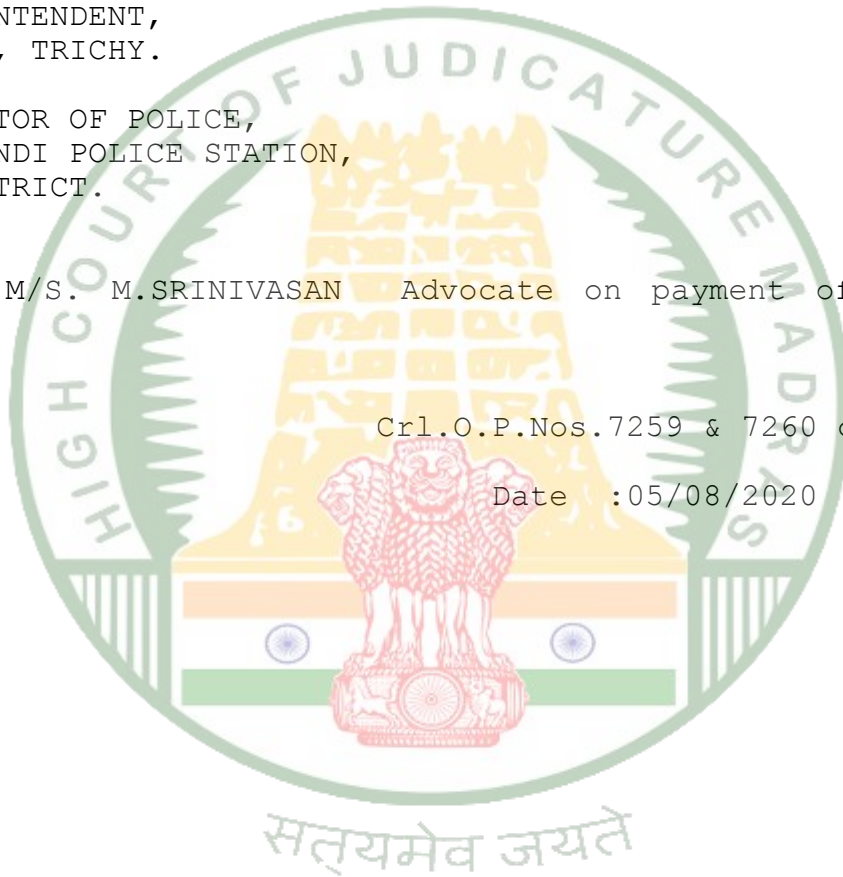
5 THE INSPECTOR OF POLICE,
THIRUTHURAIPOONDI POLICE STATION,
THIRUVARUR DISTRICT.

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

Crl.O.P.Nos.7259 & 7260 of 2020

Date :05/08/2020

RVR 11/09/2020



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