

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.08.2020

CORAM :

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

Crl.O.P.No.7277 of 2020

S.Thirumalai

... Petitioner

Vs.

State Rep. by
The Inspector of Police
P-6, Kodungaiyur Police Station
Thiruvallur District
(Cr.No.198 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in above Crime No.198 of 2020 on the file of the Respondent Police.

For Petitioner : Mr.M.Ravikumar

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

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 28.02.2020 for the offences punishable under Section 147, 148, 448, 294(b), 302 and 506(2) IPC, in Crime No.198 of 2020, seeks bail.

2.The learned counsel appearing for the petitioner would submit that the petitioner has been granted interim bail by this Court vide order dated 12.05.2020 for a period of eight weeks. He would further submit that the petitioner has been complying with the conditions regularly.

3.The learned Government Advocate (Criminal Side) would submit that the petitioner was granted interim bail by this Court vide order dated 12.05.2020. He would further submit that the petitioner has been regularly complying with the conditions.

4.Taking into the consideration of the fact that the petitioner has been granted interim bail by this Court vide order dated 12.05.2020 and he has been regularly complying with the condition, the interim bail granted by this Court vide order dated 12.05.2020

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 learned V Metropolitan Magistrate, Egmore, **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 report before respondent police on every Monday 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 petitioners 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.

5. With the above direction, this Criminal Original Petition stands ordered.

-sd/-

20/08/2020

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 METROPOLITAN MAGISTRATE,
NO.V, EGMORE, CHENNAI

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAAL, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

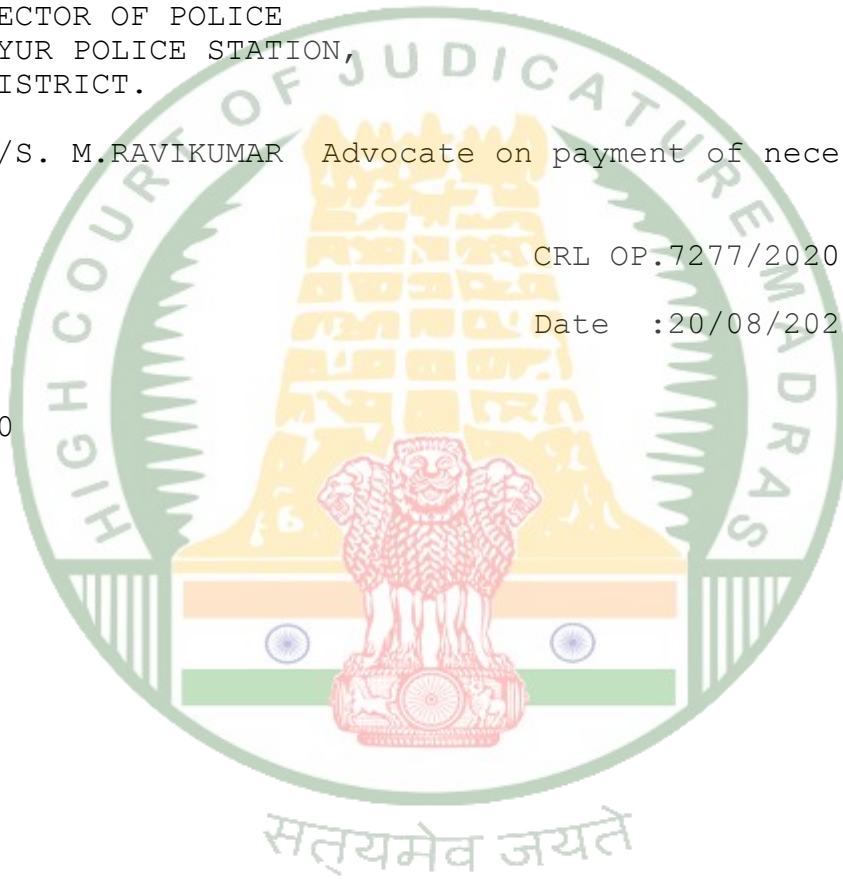
4 THE INPSECTOR OF POLICE
P-6, KODUNGAIYUR POLICE STATION,
TIRUVALLUR DISTRICT.

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

CRL OP.7277/2020

Date :20/08/2020

TA-16/09/2020



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