

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.7316 & 7317 of 2020

S.Sathiskumar

... Petitioner in both Crl.O.Ps

Vs.

State Represented by
Inspector of Police
Sulur Police Station
Coimbatore District
(Crime No.135 & 136 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 Nos.135 & 136 of 2020 pending investigation on the file of the Inspector of Police, Sulur Police Station, Coimbatore District.

For Petitioners : Mr.B.Jameel Arasu 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 petitioner, who was arrested and remanded to judicial custody on 17.02.2020 for the offence punishable under Sections 302 and 392 IPC, in Crime No.135 of 2020 and for the offences punishable under Section 397 IPC, in Crime No.136 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 04.05.2020.

3.The learned Government Advocate (Criminal Side) would submit that the investigation in these cases have been completed and the final reports will be filed soon before the learned Judicial Magistrate, Sulur.

4.Taking into the consideration of the fact that the petitioner in these cases have been granted interim bail by this Court vide order dated 04.05.2020 and the final reports will be filed before the learned Judicial Magistrate, Sulur, 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 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 Judicial Magistrate, Sulur, 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 the learned Judicial Magistrate, Sulur 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;

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

(g) the petitioner 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 direction, these Criminal Original Petitions are 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,
SULUR.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

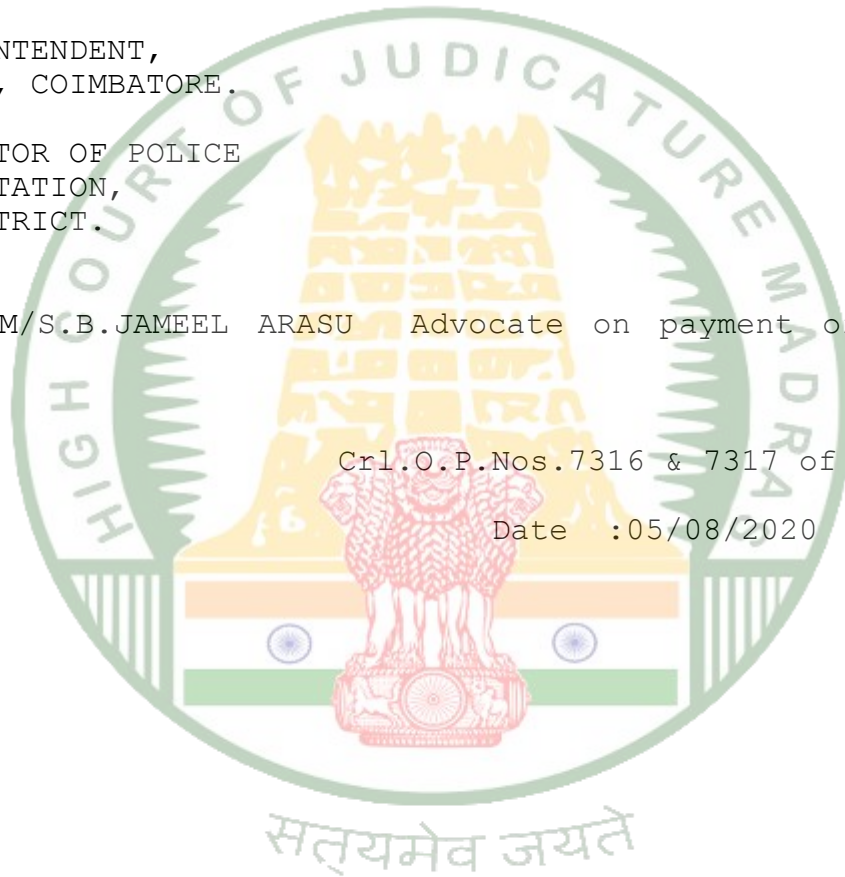
5 THE INSPECTOR OF POLICE
SULUR POLICE STATION,
COIMBATORE DISTRICT.

CC to M/S.B.JAMEEL ARASU Advocate on payment of necessary
charges

Crl.O.P.Nos.7316 & 7317 of 2020

Date :05/08/2020

RVR 11/09/2020



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