

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.08.2020

CORAM :

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

Crl.O.P.No.7360 of 2020

Pasupathi

... Petitioner

Vs.

State by

Station House Officer

Sethiyathope Police Station

Cuddalore District

(Crime No.186 of 2019)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.186 of 2020 on the file of the Station House Officer, Sethiyathope Police Station, Cuddalore District.

For Petitioner : Mr.K.Balu

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

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 20.04.2020 for the offences punishable under Section 147, 148, 341, 342, 323, 324 and 302 IPC, in Crime No.186 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 30.04.2020. He would further submit that the petitioner has been regularly complying with the conditions imposed by this Court. Accordingly prays for making the interim bail absolute.

3.The learned Government Advocate (Criminal Side) would submit that the petitioner was granted interim bail by this Court vide order dated 30.04.2020 in Crl.O.P.No.7360 of 2020. He would further submit that the petitioner has been complying with the conditions imposed by this Court regularly. He would further submit that the respondent police have completed their investigation and the final report has also been filed and taken up in P.R.C.No.2 of 2020 on the file of the learned Judicial Magistrate No.1, Chidambaram.

4. Taking into the consideration of the fact that the petitioner has been granted interim bail by this Court vide order dated 30.04.2020 and the final report has also been filed before the learned Judicial Magistrate No.1, Chidambaram, the interim bail granted by this Court vide order dated 30.04.2020 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 No.1, Chidambaram, **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 No.1, Chidambaram 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.

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

-sd/-
18/08/2020

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 NO. I,
CHIDAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE SUPERINTENDENT,
SUB JAIL, PANRUTI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE STATION HOUSE OFFICER
SETHIYATHOPE POLICE STATION,
CUDDALORE DISTRICT.

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

CRL OP.7360/2020

Date :18/08/2020

MK:03/09/2020

WEB COPY