

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.07.2020

CORAM :

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

Crl.O.P.No.7389 of 2020

S.Sowkath Ali

... Petitioner

Vs.

State rep. By:

... Respondent

The Inspector of Police,
Panruti Police Station,
Cuddalore District.
(Crime No.202/2020)

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner / accused on bail pending investigation in Crime No.202/2020 on the file of the respondent

For Petitioners: Mr.A.Syed Kaleesha

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

ORDER

(This case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 6.4.2020 for the offences punishable under Sections 153A,505(2) of IPC, Section 7(1)(a) of Criminal Law Amendment Act, Section 67 of Information Technology Act in Crime No. 202 of 2020 seeks bail.

2.When the matter is taken up for hearing today, learned counsel appearing for the petitioner submitted that the petitioner has been granted interim bail, by order dated 6.5.2020 with a condition to report before the respondent every day from 1.6.2020 and the petitioner has been complying with the condition for a period of eight weeks. He would further submit that the petitioner would cooperate with the respondent for investigation and thus pray that the interim bail granted on 6.5.2020 may be made absolute.

3. Learned Govt. Advocate (crl.side) would submit that the investigation is pending and that the petitioner is cooperating with the investigation.

5. Taking into consideration the facts and circumstances of the case, the interim bail already granted by this Court on 6.5.2020 is made absolute.

(a) Accordingly, the petitioner is ordered to surrender on executing **two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each**, before the learned Judicial Magistrate I, Panrutti, within a period of two weeks after lifting of lock down 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 subject himself for medical examination and shall cooperate with the respondent police.

(d) the petitioner shall appear before the respondent police as and when required for interrogation.

(e) 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.

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

-sd/-

17/07/2020

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, PANRUTI.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
PANRUTI POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

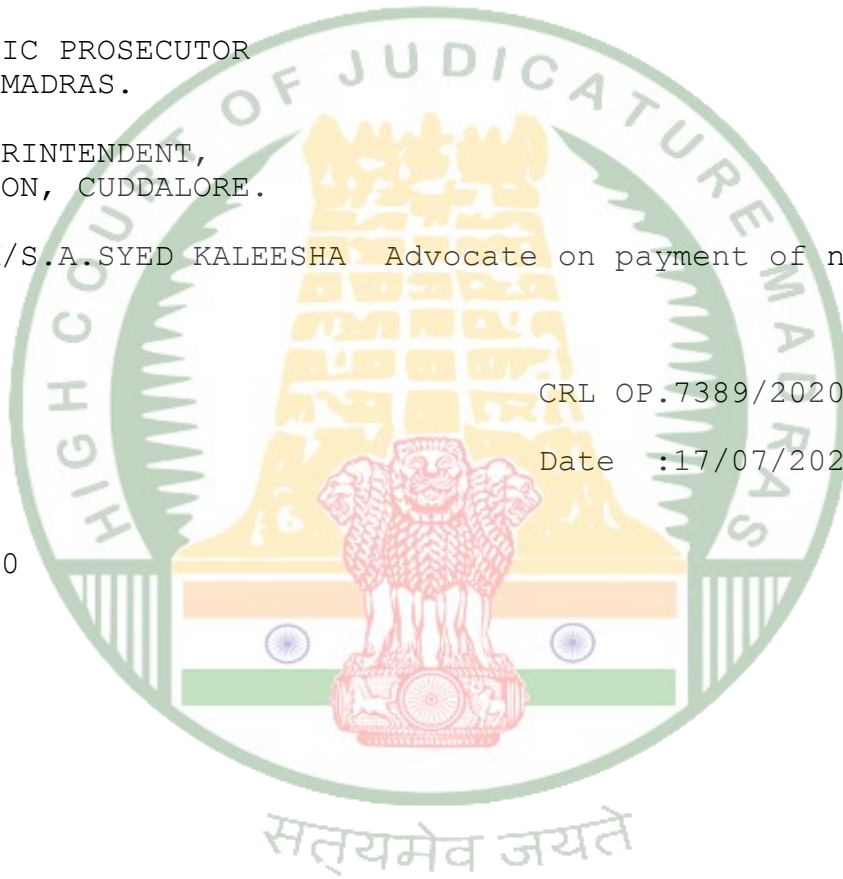
4 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

CC to M/S.A.SYED KALEESHA Advocate on payment of necessary
charges

CRL OP.7389/2020

Date :17/07/2020

TA-25/08/2020



WEB COPY