

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.07.2020

CORAM :

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

Crl.O.P.No.7397 of 2020

1.Dayal
2.Kumar

... Petitioners

Vs.

State rep. by its
The Inspector of Police
Jolarpet Police Station,
Tirupattur-Taluk,
Tirupattur District.
(Cr.No.54 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioners on bail pending investigation in Crime No.54 of 2020 on the file of the Respondent Police.

For Petitioners: Mr.I.Periaswamy

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

ORDER

(The case has been heard through video conference)

When the matter was taken up for hearing, the learned Government Advocate (Crl.Side) submitted that the petitioners were already granted interim bail by this Court by order dated 07.05.2020. He further submitted that investigation has been completed and the final report is yet to be filed.

2. In view of the above submission, the interim bail already granted by this Court on 07.05.2020 is made absolute, subject to the following conditions:

(a) Accordingly, the petitioners shall surrender and execute two sureties each, for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the learned Judicial Magistrate No.I, Tirupattur, 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 the respondent police as and when required for the interrogation.**

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

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

(f) the petitioners 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 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];

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

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

-sd/-
13/07/2020

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,
TIRUPATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
<https://hcservices.ecourts.gov.in/hcservices/>
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

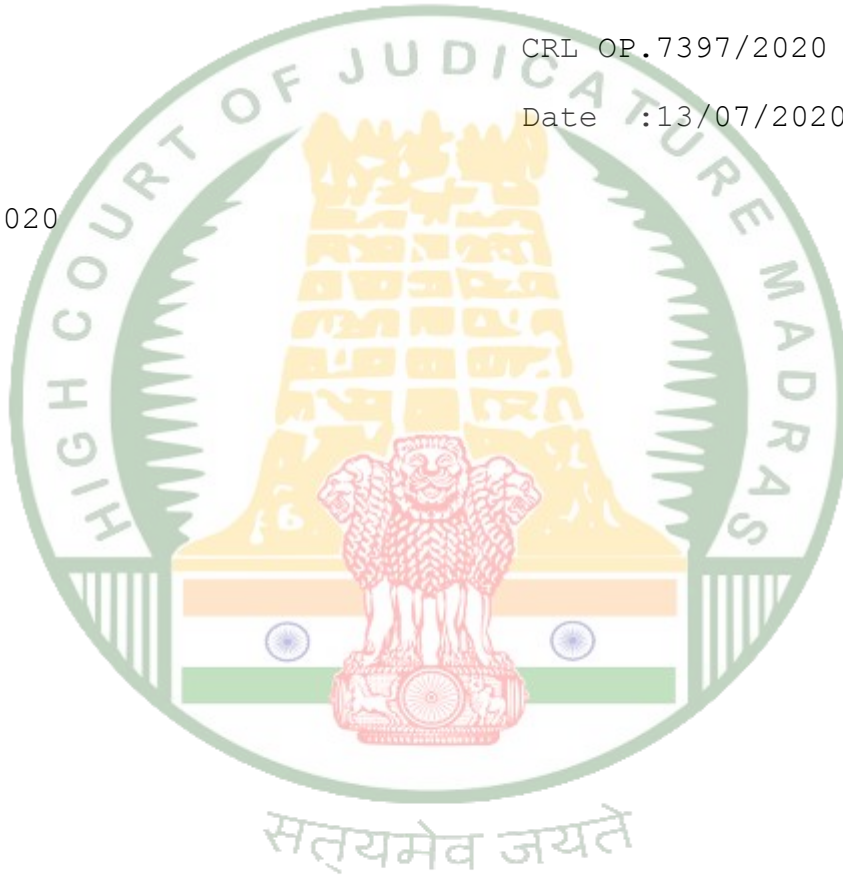
5 THE INSPECTOR OF POLICE,
JOLARPET POLICE STATION,
TIRUPATTUR - TALUK,
TIRUPATTUR DISTRICT.

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

CRL OP.7397/2020

Date :13/07/2020

MN-CS-04/08/2020



WEB COPY