

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.07.2020

CORAM :

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

CrI.O.P.No.7428 of 2020

G.Babu

... Petitioner

Vs.

State rep. by its
The Inspector of Police
Latheri Police Station,
K.V.Kuppam Taluk,
Katpadi Taluk, Vellore District
(Cr.No.18 of 2020)

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in respect of Crime No.18 of 2020 on the file of Inspector of Police, Latheri Police Station, Vellore pending investigation of the file of respondent police.

For Petitioner : Mr.D.Rajagopal

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

ORDER

(The case has been heard through video conference)

When the matter was taken up for hearing, the learned Government Advocate (CrI.Side) submitted that the petitioner was already granted interim bail by this Court. He further submitted that investigation has been completed and 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, petitioner the shall surrender before the learned Judicial Magistrate, Katpadi, Vellore District within a period of two weeks of lifting of lockdown or the commencement of the Court's normal functioning, which ever is earlier and furnish two sureties for a sum of Rs.10,000/- each, out of two sureties one

will be a person related through blood and the other person will be a local person from Vellore District, 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 respondent police as and when required for the interrogation.

(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.

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

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
KATPADI, VELLORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, THORAPADI,
VELLORE.

5 THE INSPECTOR OF POLICE
LATHERI POLICE STATION,
K.V.KUPPAM TALUK,
KATPADI TALUK,
VELLORE DISTRICT.

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

CRL OP.7428/2020

Date :13/07/2020

MN-CS-04/08/2020



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