

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.Nos.Nos.7429, 7430, 7431, 7432 & 7433 of 2020

Madhan ... Petitioner in Crl.O.P.7429/2020

1.S.Vignesh
2.Dhilip Kumar ... Petitioners in Crl.O.P.7430/2020

1.Dinesh @ Murali
2.Vignesh Kumar@ Sultan Viki
... Petitioners in Crl.O.P.7431/2020

1.Praveenkumar Nithyanandham
2.Mohamed Farook Ali ... Petitioners in Crl.O.P.7432/2020

Manikandan ...Petitioner in Crl.O.P.No.7433/2020

Vs.

State rep. by
The Inspector of Police
Karungalpalayam Police Station
Erode District
(Crime No.40 of 2020) ... Respondent in all 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 No.40 of 2020 pending investigation on the file of the Respondent.

For Petitioners
in all Crl.O.Ps

: Mr.C.S.Saravanan

For Respondent

:Mr.Shunmugarajeswaran
Government Advocate (Crl. Side)

C O M M O N O R D E R
(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. He further submitted that the investigation has been completed and final report has already been filed on 24.06.2020 and it is yet to be taken on file.

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.1, Erode, 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 learned Judicial Magistrate No.1, Erode, on the 1st working day of every month at 10.30 a.m., until further orders.

(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 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

TRUE COPY

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

TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
ERODE.

2 THE JUDICIAL MAGISTRATE,
NO.I, ERODE.

3 THE INSPECTOR OF POLICE,
KARUNGALPALAYAM POLICE STATION,
ERODE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

CC to M/S. C.S.SARAVANAN Advocate on payment of necessary charges

WEB COPY CRL Ops.7429, 7430, 7431
7432 & 7433/2020

Date :13/07/2020

cs 12/08/2020