

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.7445 of 2020

Srinivasan @ Seenu

... Petitioner

Vs.

State Rep. by the Inspector of Police
Ambur Taluk Police Station
Vellore district
(Crime No.121 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.121 of 2020 pending investigation on the file of the Inspector of Police, Ambur Taluk Police Station, Vellore District.

For Petitioner : Mr.V.Paarthiban

For Respondent : Mr.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 08.03.2020 for the offence punishable under Section 320 IPC @ from 174 Cr.P.C., in Crime No.121 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 08.05.2020 for a period of eight weeks. He would further submit that the petitioner has been complying with the conditions imposed by this Court regularly and investigation is also almost over.

3.The learned Government Advocate (Criminal Side) would submit that the petitioner is complying with the order of this Court from 01.06.2020. Investigation is pending.

4.Taking into consideration of the facts and circumstances, also considering the submissions made by the learned counsels, the interim bail granted by this Court vide order dated 08.05.2020 is hereby made absolute subject to the following conditions:

(a) Accordingly, the petitioner is ordered to surrender and furnish two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the learned District Munsif cum Judicial Magistrate at Ambur, within 15 days from the date of lifting of the 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 report before the respondent police at 10.30 a.m. on the 1st Monday of every month 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 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.

5. 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 COURT,
VELLORE.

2 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, AMBUR.

2 THE SUPERINTENDENT,
CENTRAL JAIL, VELLORE

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

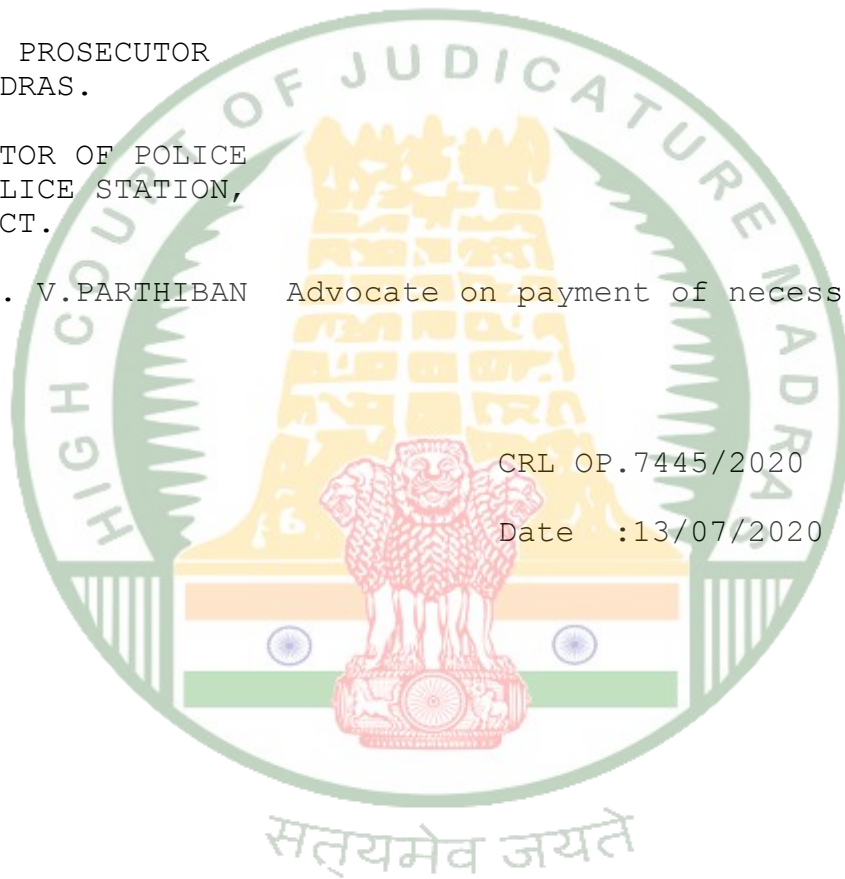
5 THE INSPECTOR OF POLICE
AMBUR TALUK POLICE STATION,
VELLORE DISTRICT.

CC to M/S. V.PARTHIBAN Advocate on payment of necessary charges

CRL OP.7445/2020

Date :13/07/2020

cs 04/08/2020



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