

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.08.2020

CORAM :

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

Cr1.O.P.No.7447 of 2020

1.Ramanan  
2.Karikalan

... Petitioners

Vs.

State By  
The Inspector of Police  
S-10, Pallikaranai Police Station  
Chennai  
(Cr.No.140 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.140 of 2020 pending investigation on the file of the Inspector of Police, S-10, Pallikaranai Police Station, Chennai.

For Petitioner : Mr.K.Balu

For Respondent : Mr.T.Shunmugarajeswaran  
Government Advocate (Cr1. 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 05.03.2020 for the offences punishable under Section 302 IPC, in Crime No.140 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 06.05.2020. Till date the respondent police have not filed the final report, thereby, he prays to make the interim bail granted by this court absolute.

3.The learned Government Advocate (Criminal Side) would submit that the investigation is pending in this case.

4.Taking into the consideration of the fact that the petitioner has been granted interim bail by this Court vide order dated 06.05.2020 and the final report has not been filed by the respondent, the interim bail granted by this Court vide order dated 06.05.2020 is hereby made absolute subject to the following conditions:

(a) Accordingly, the petitioner is directed to surrender on condition to execute two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the learned Judicial Magistrate No.II, Alandur, Chennai, 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 petitioner shall report before the respondent police daily at 10.30 a.m. 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 direction, this Criminal Original Petition stands ordered.

-sd/-

05/08/2020

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 SESSIONS JUDGE,  
KANCHEEPURAM DISTRICT  
CHENGALPATTU.
- 2 THE JUDICIAL MAGISTRATE NO.II  
ALANDUR, CHENNAI
- 3 THE CHIEF JUDICIAL MAGISTRATE  
CHENGALPATTU. [FOR INFORMATION]
- 4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.
- 5 THE INSPECTOR OF POLICE,  
S10-PALLIKARANAI POLICE STATION,  
CHENNAI.
- 6 THE SUPERINTENDENT,  
CENTRAL PRISON, PUZHAL, CHENNAI.

CC to M/S. K.BALU Advocate on payment of necessary charges

CRL OP.7447/2020

Date :05/08/2020

RVR 11/09/2020