

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 7554 of 2020

Bakkiyaraj

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Vridhachalam Police Station,
Cuddalore.
(Crime No.231 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in Crime No. 231 of 2020, pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Selvam

For Respondent : Mr.T.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 25.03.2020 for the offences punishable under Sections 294(b), 323, 324 and 302 of IPC in Crime No. 231 of 2020 on the file of the respondent police, seeks bail.

2 On 14.05.2020, this Court had granted interim bail but earlier the petitioner had not complied with the condition. Now, it has been represented by the learned Government Advocate (Crl.Side) that the petitioner has been regularly complying with the condition.

3 In view of the submission made by the learned counsel, the interim bail granted by this Court to the petitioner on 14.05.2020 is made absolute subject to the following conditions:

(a) Accordingly, the Petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees ten thousand only), before the Superintendent of the concerned prison, in which the Petitioner has been confined and thereafter on his release;

(b) the petitioner shall execute two sureties, each for a sum of Rs.10,000/- (Rupees Ten Thousand only), before the learned Judicial Magistrate No.I, Vridhachalam, within 15 days from the date

of lifting of the lock down or the commencement of the Court's normal functioning or which ever is earlier, failing which the bail granted by this Court shall stand dismissed automatically;

(c) 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;

(d) the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter on every Monday at 10.30 a.m., until further orders.

(e) the petitioner shall not commit any offences of similar nature;

(f) the petitioner shall not abscond either during investigation or trial;

(g) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(h) 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];

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

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

-sd/-

03/09/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

WEB COPY

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,
VRIDHACHALAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

<https://hcservices.ecourts.gov.in/hcservices/>

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

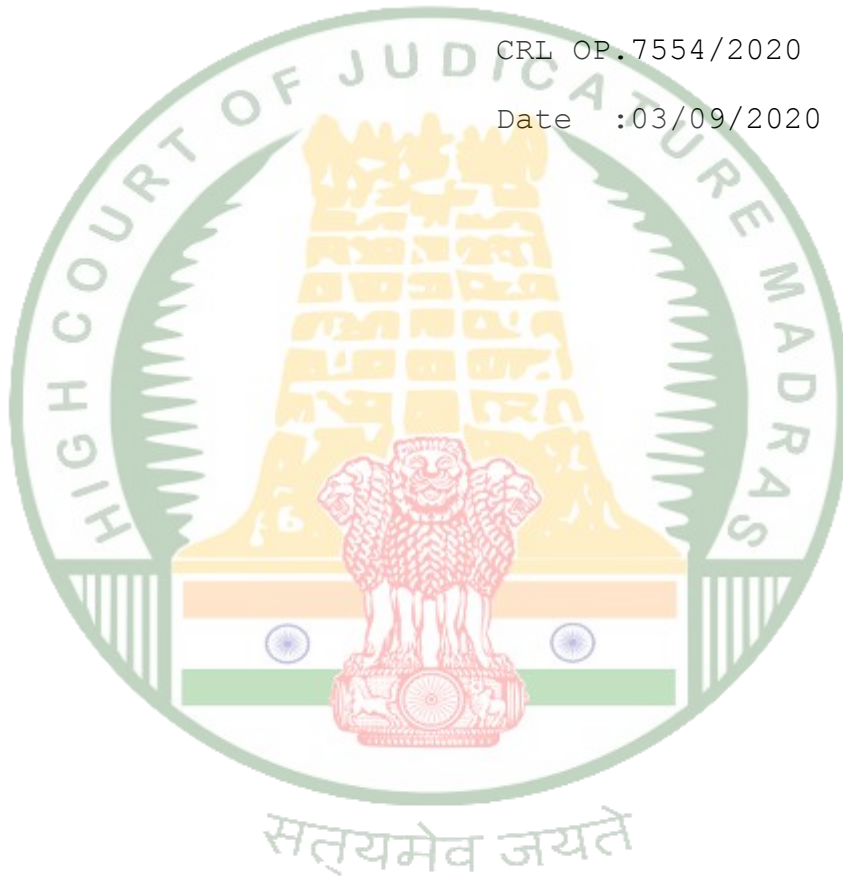
4 THE INSPECTOR OF POLICE,
VRIDHACHALAM POLICE STATION,
CUDDALORE DISTRICT.

CC to M.SELVAM Advocate on payment of necessary charges

CRL OP.7554/2020

Date :03/09/2020

RVR 15/09/2020



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