

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.07.2020

CORAM :

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

Crl.O.P.No.7597 of 2020

N.Jayakumar
S/o.Natarajan
No.69/4, Mettu Street,
Kaladipet,
Thiruvotriyur,
Thiruvallur-600 019.

... Petitioner

- Vs. -

The State rep. by
The Inspector of Police,
Minjur Police Station,
Thiruvallur, Thiruvallur District.
Crime.No.126/2020.

... Respondent

Prayer: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code, to enlarge the petitioner on bail in Crime No.126 of 2020 on the file of the respondent police.

For Petitioner : Mr.J.Satheesh Kumar

For Respondent : Mr.T.Shanmugarajeswaran,
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The Petitioner, who was arrested on 04.03.2020, for the offences punishable under Section 302 of IPC, in Crime No.126 of 2020 on the file of the respondent police, seeks bail.

2. Today when the matter is taken up for hearing, the learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner has already been granted interim bail by this Court on 15.05.2020 and that the petitioner has been complying with the conditions regularly.

3.Taking into consideration of the facts and circumstances of the case, the interim bail granted by this Court vide order dated 15.05.2020 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-II, Ponneri, 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 after lifting down of lock down daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for 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.

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

सत्यमेव जयते

-sd/-
29/07/2020

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, THIRUVALLUR.

2 THE JUDICIAL MAGISTRATE,
NO.II, PONNERI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

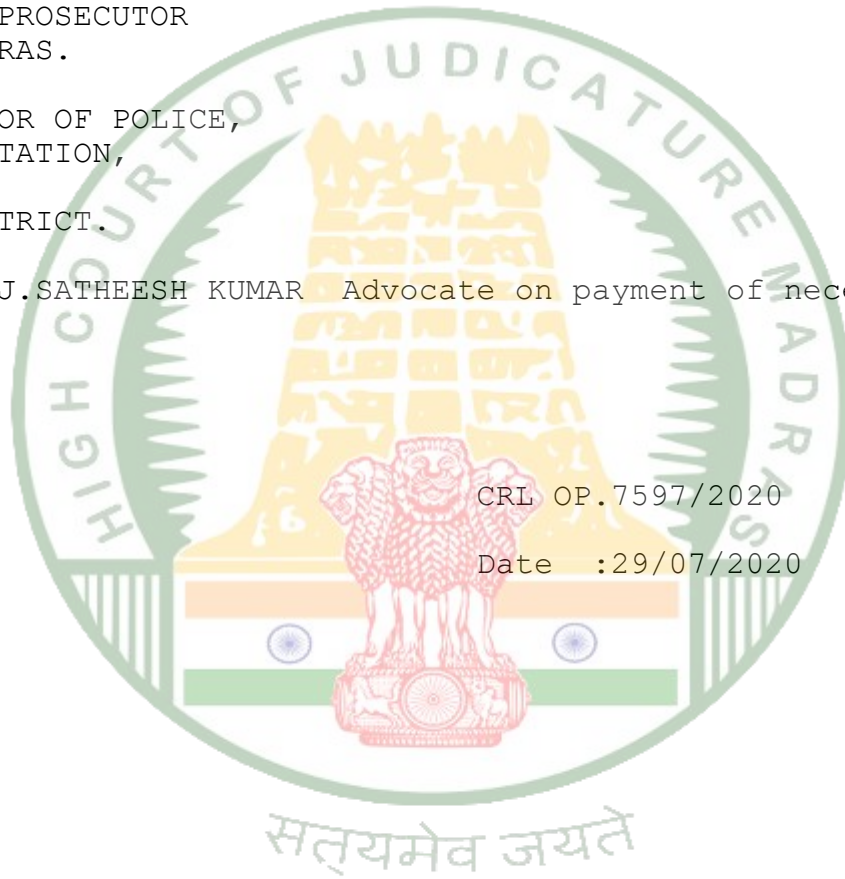
5 THE INSPECTOR OF POLICE,
MINJUR POLICE STATION,
THIRUVALLUR,
THIRUVALLUR DISTRICT.

CC to M/S J.SATHEESH KUMAR Advocate on payment of necessary
charges

CRL OP.7597/2020

Date :29/07/2020

RD 27/08/2020



WEB COPY