

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.10.2020

CORAM :

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

CRL.O.P.No.15538 of 2020

Ramasamy

... Petitioner

Vs.

State rep. by:

The Inspector of Police,
Molasi Police Station,
Namakkal District
(Crime No.276 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.276 of 2020 on the file of the respondent police.

For Petitioner : Mr. D.R.Arun Kumar

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 26.08.2020 for the offences punishable under Sections 326 IPC and 25(1B) (a), 27(1) of Arms Act in Crime No.276 of 2020, on the file of the respondent police, 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 01.10.2020. He would further submit that in due compliance of the order passed by this Court on 01.10.2020, the petitioner has paid an amount of Rs.50,000/- to the victim by way of demand draft and the victim has also acknowledged the same. He would further submit that necessary memo has also been filed before this Court.

3. In view of the above, interim bail already granted to the petitioner by this Court on 01.10.2020, is made absolute subject to the following conditions:

[a] Accordingly, the petitioner is directed to surrender on condition to execute two sureties for sum of Rs.10,000/- (Rupees Ten Thousand Only) each, before the learned Judicial Magistrate, Kumarapalayam within a period of two weeks from the date of receipt of a copy of this order, 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 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.

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

-sd/-

14/10/2020

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 JUDICIAL MAGISTRATE COURT,
KUMARAPALAYAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

4 THE OFFICER INCHARGE
SUB-JAIL, SALEM

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

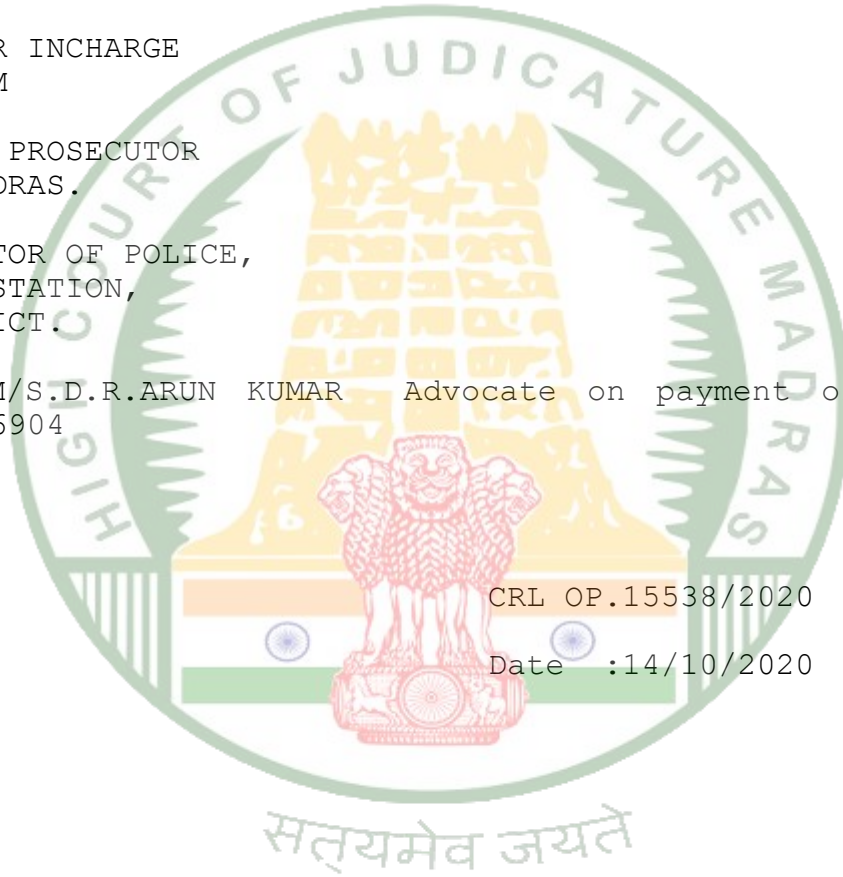
6 THE INSPECTOR OF POLICE,
MOLASI POLICE STATION,
NAMAKKAL DISTRICT.

+1 CC to M/S.D.R.ARUN KUMAR Advocate on payment of necessary
charges SR.No.6904

CRL OP.15538/2020

Date :14/10/2020

cs 19/10/2020



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