



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/06/2020

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PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN

CRL OP(MD) . No.5615 of 2020

N.Vedachalam

... Petitioner

Vs

The Inspector of Police,
CBCID South, Police Station,
Theni.

Crime No.1 of 2019

... Respondent

For Petitioner : M/s.R.Venkatesan, Advocate for
M/s.Right Law Associates

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.1 of 2019 on the file of the Respondent Police.

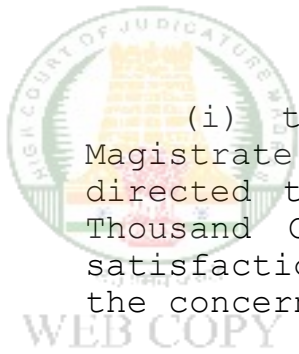
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2. The petitioner is in custody since 14.02.2020 for the offences under Section 120(b), 419 and 420 of I.P.C. in Crime No.1 of 2019 on the file of the respondent police. Hence, he seeks bail.

3. The learned Additional Public Prosecutor on instructions states that charge sheet has not been filed till date. A1 to A14 were already granted bail.

4. Taking note of the period of incarceration and the other accused have been granted bail, this Court in exercise of its power under Section 167(3) of Cr.P.C., inclined to enlarge the petitioner on default bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following



(i) the petitioner shall be released on own bond by the Magistrate without insisting on sureties. However, the petitioner is directed to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Principal Sessions Court, Theni, after the concerned Court is reopened.

(ii) The petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) to the credit of Crime No.1 of 2019 before the jurisdictional Court. It will be without prejudice to the petitioner's defence in the trial.

(iii) The sureties shall affix his photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

(iv) the petitioner shall report before the respondent police daily for a period of two weeks and thereafter as and when required for interrogation.

(v) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(vi) the petitioner shall not abscond either during investigation or trial.

(vii) On breach of any of the aforesaid conditions, the learned 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].

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

sd/-
26/06/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE PRINCIPAL SESSIONS JUDGE,
THENI.
2. THE OFFICER INCHARGE, DISTRICT JAIL,
THENI.
3. THE INSPECTOR OF POLICE,
CBCID SOUTH, POLICE STATION,
THENI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.5615 of 2020
Date :26/06/2020

MS/PN/SAR-2/26.06.2020/3P.5C