

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.6774 of 2021

Vinoth @ Vinoth Kumar ... Petitioner

Vs.

State Represented by
The Inspector of Police,
T-4 Maduravoyal Police Station,
(S.C.No.6 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in S.C.No.6 of 2021 on the file of the Additional District Judge – III, Thiruvallur at Poonamallee.

For Petitioner : Mr.B.Mohanraj

For Respondent : Ms.M.Prabhavathi

Additional Public Prosecutor

सत्यमेव जयते

ORDER

The petitioner who was arrested on 01.10.2020 for the offence under Sections 120(B), 364, 201, 109 and 302 of I.P.C. in Cr.No.898 of 2016 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner was implicated for the offence under Sections 120(B), 364, 201, 109 and 302 of I.P.C. When the case was posted for hearing he did not appear before the Court on 16.10.2018. Accordingly, the lower Court issued Non Bailable Warrant against the petitioner for his non appearance and he was secured on 01.10.2020.

3.The learned counsel appearing for the petitioner would submit the petitioner's non appearance before the lower Court is neither willful nor wanton, however, he was unable to appear before the lower Court. Hence, Non Bailable Warrant was issued against the petitioner.

4.The learned Additional Public Prosecutor submits that there is no previous case as against the petitioner.

5.Considering the fact that there is no previous case pending against the petitioner, I am inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related

surety, each for a like sum to the satisfaction of the learned Additional District Judge - III, Thiruvallur at Poonamallee and on further condition that:

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

(b)the petitioner shall report before the learned Additional District Judge - III, Thiruvallur at Poonamallee, daily at 10.30 a.m. until further orders;

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

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

(e)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]***; and;

M.DHANDAPANI,J.

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

07.04.2021

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Speaking Order/ Non Speaking Order

Index: Yes/ No

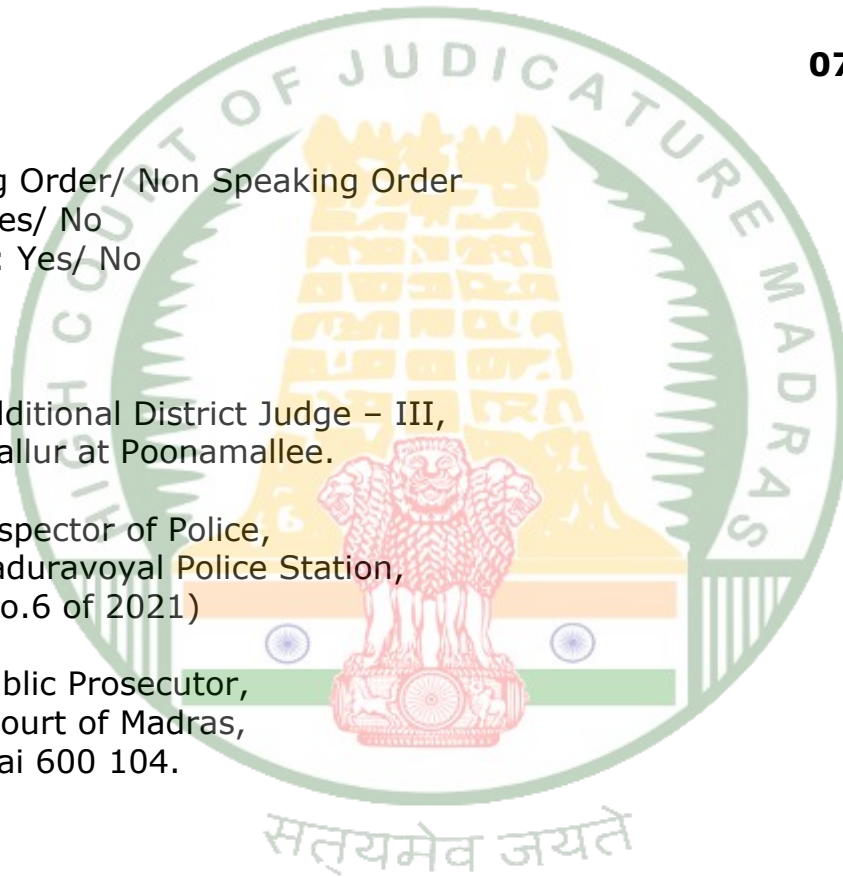
Internet: Yes/ No

To

1.The Additional District Judge – III,
Thiruvallur at Poonamallee.

2.The Inspector of Police,
T-4 Maduravoyal Police Station,
(S.C.No.6 of 2021)

3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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