

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.05.2021

CORAM :

THE HON'BLE Mr.JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.8428 of 2021

Prabu

... Petitioner

Vs.

The Inspector of Police,
Mathur Police Station,
Krishnagiri District.
(Crime No.352 of 2018)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioners on bail in Crime No.352 of 2018 pending on the file of the respondent.

For Petitioner : Mr.G.Jeremiah

For Respondent : Mr.Charles Premkumar
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

2. The petitioner was arrested and remanded to judicial custody on 15.04.2021 for the alleged offence under Sections Man Missing @ 420, 365, 364(A), 324, 506(ii) IPC r/w Section 109 IPC in Crime No.352 of 2018. He seeks bail.

3. The victim was secured long back. The case is almost three years old. The co-accused have already been granted bail. The petitioner has no previous case. Hence, bail is granted.

(a) Accordingly, the petitioner is ordered to be released on bail on condition 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 District Munsif-cum-Judicial Magistrate, Pochampalli, and on further conditions that:

(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 not commit any offences of similar nature;

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

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

(f) 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];

(g) 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/-
05/05/2021

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

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

WEB COPY

TO

1 THE DISTRICT MUNSIF-COM-
JUDICIAL MAGISTRATE, POCHAMPALLI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI DISTRICT. (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
MATHUR POLICE STATION, KRISHNAGIRI DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, KRISHNAGIRI.

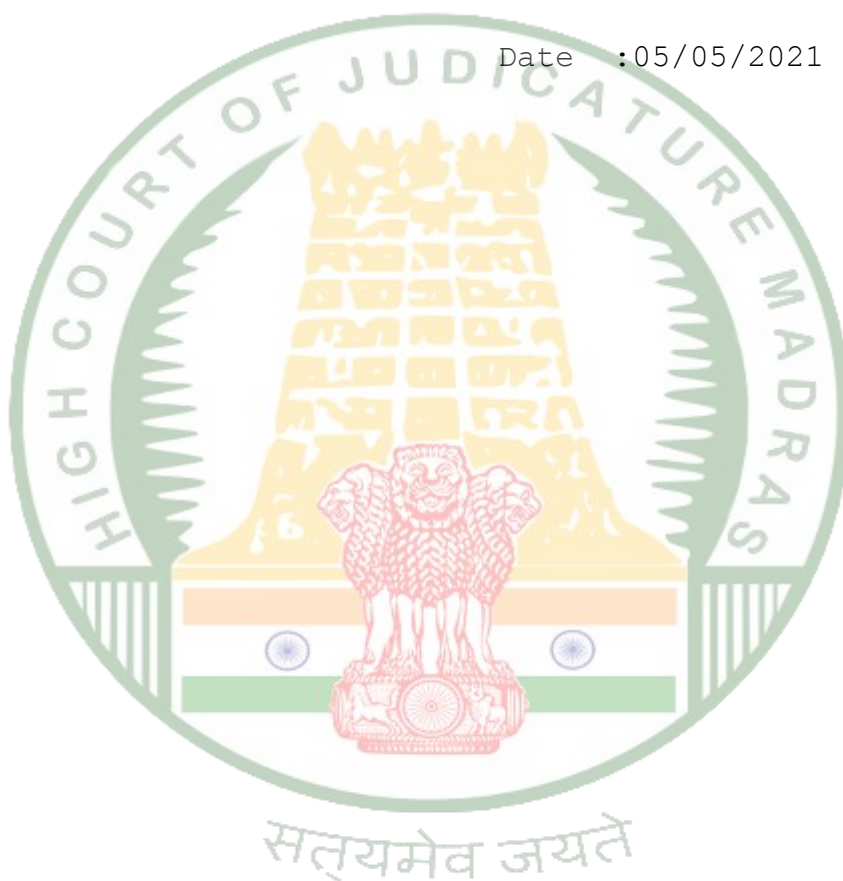
5 THE PUBLIC PROSECUTOR
HIGH COURT OF MADRAS, CHENNAI.

+1 CC to M/S.G.JEREMIAH Advocate on payment of necessary
charges SR NO. 5788

CRL OP.8428/2021

Date :05/05/2021

rg.06.05.2021



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