



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.12721 of 2021

Rajagopal

... Petitioner

Vs.

The State Represent by
The Inspector of Police,
Anandhapuram Police Station,
Villupuram District.
Cr.No.66 of 2014

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail in connection with the case in Cr.No.66 of 2014 pending investigation on the file of the respondent Police.

For Petitioner : Mr.R. Babu

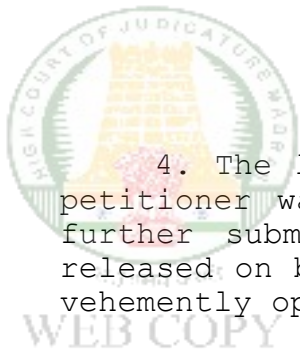
For Respondent : Mr.A.Gopinath
Government Advocate (Crl side)

ORDER

The petitioner, who was arrested on 03.07.2021 and remanded to judicial custody for the offences under Sections 147, 148, 294(b), 307 and 302 of IPC r/w 149 of I.P.C in Cr.No.66 of 2014, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the case was registered and final report filed and the case has been taken on file in SC.No.214 of 2015 and further, the petitioner has not appeared before the trial Court. Hence, the trial Court has issued non-bailable warrant against the petitioner on 19.03.2021 and thereafter, he was arrested and remanded to judicial custody on 03.07.2021.

3. The learned counsel for the petitioner submitted that the clerk of the lower court mentioned the hearing date wrongly, hence, he could not attend the Court proceedings and he is in judicial custody from 03.07.2021. Hence he prays for grant of bail.



4. The learned Government Advocate (Crl.Side) submitted that the petitioner was not regularly appeared before the trial Court and he further submitted that the case is pending. If the petitioner is released on bail, he may abscond and the case would affect. Hence, he vehemently opposed 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 Judicial Magistrate, Gingee 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 is directed to appear before the respondent police daily morning at 10.30 am 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

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

-sd/-
26/07/2021

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,
GINGEE.

WEB COPY

2 THE CHIEF JUDICIAL MAGISTRATE
VILUPPURAM DISTRICT [FOR INFORMATION]

3 THE OFFICER INCHARGE
SUB- JAIL,
PERUMBAKKAM

4 THE INSPECTOR OF POLICE,
ANANDHAPURAM POLICE STATION,
VILLUPURAM DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.R.BABU Advocate on payment of necessary charges

CRL OP.12721/2021

Date :26/07/2021

JPA 27/07/2021