



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.5418 of 2022

R.Selva Kumar

... Petitioner

Vs.

State rep. by
The S.H.O.,
DCB, Salem Police Station,
Salem District.
(Crime No.9 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner pending trial in CC.No.4 of 2022 on the file of Judicial Magistrate No.6, Salem in Crime No.9 of 2021 on the file of the respondent police.

For Petitioner : M/s.S.R.Sumathy

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner who was arrested on 25.12.2021 for the alleged offence under sections 120(B) and 420 I.P.C. before this Court seeks bail on the ground that the investigation already completed and the co-accused was released on bail.

2.Learned counsel for the petitioner states that on completion of the investigation, the final report was taken on file by the learned Judicial Magistrate No.6, Salem in C.C.No.4 of 2022.

3.In view of the completion of investigation, this Court is of the view that the bail may be granted to the petitioner. Accordingly, bail is granted to the petitioner and he is ordered to be released on bail subject to the following conditions;



(a) The petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.6, Salem.

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(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 is directed to report before the learned Judicial Magistrate No.6, Salem on the first Monday of every month at 10.30 a.m.

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

(e) on breach of any of the aforesaid conditions, the learned Judicial 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];

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

-sd/-
11/03/2022

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,
NO.6, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]



3 THE S.H.O.,
DCB, SALEM POLICE STATION,
SALEM DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.R.SUMATHY Advocate on payment of necessary charges
SR.NO.3791

CRL OP.5418/2022

Date :11/03/2022

JPA 11/03/2022