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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.7072 of 2022

Manikandan

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Vazhapadi Police Station,
Salem District.
(Crime No.75 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.75 of 2022 pending investigation on the file of the respondent police.

For Petitioner : M/s.S.Premakumari

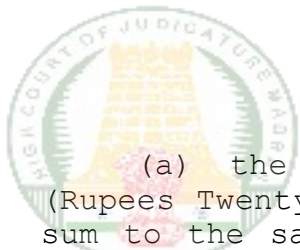
For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner/A2, who was arrested on 15.02.2022 for the offences punishable under Sections 273, 328 of IPC and Section 7(1) read with 20(2) of Cigarette and other Tobacco Products Acts 2003 in Crime No.75 of 2022, on the file of the respondent police, seeks bail.

2.Earlier this Court while considering the bail petition, dismissed it on 09.03.2022, recording the fact that the release of the petitioner may lead to abscondance and tampering the investigation.

3.Now, the learned Additional Public Prosecutor states that the investigation is completed and the final report is likely to be filed. In the change of circumstances, this court is of the view that the petitioner may be granted bail subject to certain conditions. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;



(a) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Vazhapadi, 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 Investigating Officer daily at 10.30 a.m. until further orders.

(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 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];

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

-sd/-

29/03/2022

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VAZHAZPADI, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VAZHAPADI POLICE STATION,
SALEM DISTRICT.



4 THE SUPERINTENDENT,
CENTRAL JAIL, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.PREMAKUMARI Advocate on payment of necessary
charges SR.NO.4741

CRL OP.7072/2022

Date :29/03/2022

CSK 30/03/2022