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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:22.04.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.8833 of 2022

Panneer @ Paneer Selvam

...Petitioner

Vs.

The State rep. by the
The Inspector of Police,
Kariyalur Police Station,
Villupuram District.
(Crime No.1 of 2008)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C., praying to enlarge the petitioner on bail pending trial in S.C.No.278 of 2017 on the file of the learned III Additional District Judge, Kallakurichi District.

For Petitioner : Mr.P.Vajravel

For Respondent : Mr.L.Bakaran
Government Advocate (Crl. Side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.03.2021 for the alleged offences punishable under Sections 392 of IPC, 1860 in SC.No.278 of 2017, on the file of the learned III Additional District Judge, Kallakurichi District seeks bail.

2. It is a case jumped bail. The petitioner has been arrested on 01.03.2021 on execution of Non Bailable Warrant.

3. The learned counsel appearing for the petitioner would submit that it is the case of the year 2007 and the petitioner was not aware of the pendency of the case and thereby, he could not appear before the Court and now the petitioner has been arrested on execution of Non Bailable Warrant. Further he submits that the petitioner is arrayed as A1 and the other co-accused was released on



bail and the investigation almost completed, charge sheet also filed and the trial also completed. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the petitioner is absconding for more than 10 years and he has been arrested by the police with great difficulties. He further submits that the petitioner's earlier bail petition was dismissed by this Court in Crl.OP.No.24604 of 2021 dated 21.12.2021.

5. Considering the facts and circumstances of the case the petitioner is remanded under judicial custody for more than nine months and there was no progress in the trial, inspite of the direction given by this Court and also the fact that the investigation was almost completed, this Court is inclined to grant bail to the petitioner with certain conditions.

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, each for a like sum to the satisfaction of the learned Judicial Magistrate, Sankarapuram, and on further condition that:

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

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three months, until further orders and also to appear before the trial Court on all hearing dates without fail ;

(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.

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-sd/-
22/04/2022

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 III ADDITIONAL DISTRICT JUDGE,
KALLAKURICHI DISTRICT.

2 THE JUDICIAL MAGISTRATE,
SANKARAPURAM.

3 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

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

5 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. P.VAJRAVEL Advocate on payment of necessary charges SR.No.6073

CRL OP.8833/2022

Date :22/04/2022

CSK 25/04/2022