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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.7680 of 2022

Senthil Kumar

.. Petitioner

Vs.

The State rep. by
The Sub Inspector of Police,
Nallipalayam Police Station,
Namakkal District.
(Crime No.36 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.36 of 2022 on the file of the Sub Inspector of Police, Nallipalayam Police Station.

For Petitioner : Mr.S.Senthil

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

ORDER

The petitioner, who was arrested for the alleged offences under Sections 417, 466, 468, 419 and 107 of IPC in Crime No.36 of 2022, on the file of the respondent police, seeks bail.

2.The allegation against this petitioner is that he had impersonated as the other accused A1 and appeared before the learned Chief Judicial Magistrate, Namakkal in a case where the first accused is the the accused for the offence under the Child Labour Act. The petitioner was arrested on 10.03.2022 and he is in prison till date. The investigation in this case is substantially completed.

3.In view of the said fact, this Court is of the view that the petitioner may be granted bail. 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 Judicial Magistrate No.I, Namakkal;

(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 Chief Judicial Magistrate, Namakkal 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/-

06/04/2022

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 JUDICIAL MAGISTRATE,
NO.I, NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL DISTRICT [FOR INFORMATION]



3 THE SUB INSPECTOR OF POLICE
NALLIPALAYAM POLICE STATION,
NAMAKKAL DISTRICT.

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4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.SENTHIL Advocate on payment of necessary charges
SR.No.5283

CRL OP.7680/2022

Date :06/04/2022

CSK 07/04/2022