



WEB COPY



CrI.OP.No.7347 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.7347 of 2020

Mohan

..Petitioner

Vs.

State rep.by,
The Inspector of Police,
Peralam Police Station,
Thiruvarur District.
crime No.443 of 2020

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No. 443 of 2020 on the
file of the respondent police.

For Petitioner : Mr.Swami Subramanian

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



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ORDER

The petitioner who was arrested and remanded to judicial custody on 17.04.2020 for the offences publishable under **Sections 430 and 379 of IPC in Crime No.443 of 2020** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner illegally transported river sand. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

4. Considering the facts and circumstances of the case, the interim bail granted to the petitioner in Crl.OP.No.7347 of 2020 dated 28.04.2020 is made absolute on the following conditions;

[a] the petitioner shall report before the respondent police daily



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at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned 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]**.

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

24.08.2022

Sma



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G.K.ILANTHIRAIYAN, J.

Sma

To

1.The Inspector of Police,
Peralam Police Station,
Thiruvarur District.

2.The Public Prosecutor,
High Court of Madras

Crl.O.P.No.7347 of 2020

24.08.2022