



Crl.O.P.No.7384 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.O.P.No.7384 of 2023

D.Seenivasan

...Petitioner

Vs.

The State through by:
Inspector of Police,
Jalakandapuram Police Station,
Salem District.
(Crime No.188 of 2018)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.188 of 2018, pending investigation on the file of the Respondent police on such terms and conditions.

For Petitioner : Mr.A.Syed Kaleesha

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Crl. Side)



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ORDER

The petitioner seeks bail in Crime No.188 of 2018 originally in the caption of man missing on the basis of the complaint given by one Revathi alleging that her husband by name Sakthivel was missing from 18.09.2018.

2. It is stated that the deceased Sakthivel had obtained huge amount from various persons by showing fake Iridium metal, and also obtained huge amount from the first accused and the deceased failed to repay the said amount. As per the extra judicial confession, the first accused is alleged to attack Sakthivel on his head and one Venkatesh attacked him and another person by name Velumani caused injury with wooden logs. Hence, the complaint.

2.This Court had granted interim bail and had directed the petitioner to surrender before the Superintendent of the concerned prison.

4.Taking into consideration all these factors, the investigation has been completed,I am inclined to grant bail to the petitioner subject to the following conditions.



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5. 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, for a like sum to the satisfaction of the learned Judicial Magistrate II, Mettur, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the respondent police on everyday at 10.30a.m, until further orders;

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

[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 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.

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1.The Judicial Magistrate II, Mettur

2.The Central Prison, Salem.

3.The Inspector of Police,
Jalakandapuram Police Station,
Salem District.

4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN,J.,



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