



CrI.OP.No.19162 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2023

CORAM

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

CrI.OP.No.19162 of 2023

Amarnath @ Saravanan

...Petitioner

Vs.

State represented by its
Inspector of Police,
Edaikkal Police Station,
Kallakurichi District.
(Crime No.203 of 2017)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail relating to C.C.No.16 of 2018 pending before the Judicial Magistrate No.1, Ulundhurpet, Villupuram District.

For Petitioner : Mr.T.Meganathan

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



CrI.OP.No.19162 of 2023

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ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.01.2023 for the offence punishable under Section 379 IPC in Crime No.203 of 2017 on the file of the respondent police, seeks bail.

2.The petitioner is facing trial in C.C.No.16 of 2018 before the Judicial Magistrate No.I, Ulundurpet, Villupuram District, for the offence under Section 379 IPC. During the course of judicial proceedings, the petitioner had not appeared before the Court. Necessitating Non-Bailable Warrant was issued on 09.12.2020. He was again arrested on 20.01.2023.

3. Considering the above facts and circumstances of the case and the period of incarceration by the petitioner from 20.01.2023, this Court is inclined to grant bail to the petitioner subject to the following conditions.

4. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five



CrI.OP.No.19162 of 2023

Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, No.I, Ulundhurpet, Villupuram District and on further conditions that :-

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

[b] the petitioner shall report before the Judicial Magistrate No.I, Ulundhurpet, Villupuram District, daily at 10.30.a.m., until completion of the trial.

[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



CrI.OP.No.19162 of 2023

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.

03.10.2023

Smv/ns1

To

1. Judicial Magistrate No.1, Ulundhurpet,
Villupuram District.
2. Central Jail,
Salem.
3. The Public Prosecutor,
High Court of Madras



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CrI.OP.No.19162 of 2023

C.V.KARTHIKEYAN. J.

Smv

CrI.O.P.No.19162 of 2023

03.10.2023