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Crl.OP.No.14757 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.07.2023

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THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.OP.No.14757 of 2023

S.Ramadoss Reddy

..Petitioner

Vs.

The State Rep by
The Inspector of Police,
Economic Offences Wing II, Erode,
Erode District.
Crime No.07 of 2011

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in C.C.No.14 of 2021 on the file of the learned Special Judge, Special Court under TNPID Act, Coimbatore in Crime No.07 of 2011 on the file of the Respondent.

For Petitioner : Mr.T.Balaji

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.06.2023 for the offences punishable under Sections 120-B, 420 of IPC and Section 5 of TNPID Act, 1997 pending in C.C.No.14 of 2021 on the file of the learned Special Judge, Special Court under TNPID Act, Coimbatore in Crime No.07 of 2011, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner obtained anticipatory bail in Crl.O.P.No.19330 of 2013 while the case was pending investigation in Crime No.07 of 2011. Subsequently, he did not receive any summons from the trial Court when the case was taken on file. To his surprise, he was arrested on the basis of the Non-Bailable Warrant issued by the learned Special Judge, Special Court under TNPID Act, Coimbatore. Petitioner is in Judicial Custody from 12.06.2023. Hence, he prays for grant of bail to the petitioner.

3. In response, the learned Government Advocate (Crl. Side) submitted that, despite taking several steps to serve summons on the



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petitioner, summons could not be served and therefore, Non Bailable Warrant was ordered against the petitioner and subsequently, he was arrested on 12.06.2023.

4. Taking into consideration the facts and circumstances in which the Non-Bailable Warrant was issued against the petitioner and subsequently remanded to Judicial Custody on 12.06.2023, this Court is inclined to grant bail to the petitioner.

5. 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 thousand only) with **two sureties**, each for a like sum to the satisfaction of the **Special Judge, Special Court under TNPID Act, Coimbatore** 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 appear before the learned Special Judge, Special Court under TNPID Act, Coimbatore on every hearing dater without fail.



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[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.

04.07.2023

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To

1. The Special Judge,
Special Court under TNPID Act,



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Coimbatore.

2.The Inspector of Police,
Economic Offences Wing II, Erode,
Erode District.

3.Central Prison,
Coimbatore.

4.The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.

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