



WEB COPY



CrI.OP.No.20646 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

CORAM

THE HON'BLE MR. JUSTICE G.CHANDRASEKHARAN

**CrI.OP.No.20646 of 2023**

Arun

...Petitioner

Vs.

The State Rep by  
The Inspector of Police,  
Ariyur Police Station, Vellore District.  
(Crime No.187 of 2023)

...Respondent.

**PRAYER:**

Criminal Original Petition is filed under Section 439 of Cr.P.C.  
praying to enlarge the petitioner on bail pending investigation in Crime  
No.187 of 2023 on the file of respondent Police.

For Petitioner : Mr.G.Munivel

For Respondent : Mr.S.Rajakumar  
Additional Public Prosecutor

**ORDER**

The petitioner, who was arrested and remanded to judicial custody  
on 21.07.2023 for the offence punishable under Sections 3 (1), 4 (1), 5  
(1) (a) ITP Act, in Crime No.187 of 2023 on the file of the respondent



Crl.OP.No.20646 of 2023

police, seeks bail.

2.The learned counsel for the petitioner submitted that, petitioner is accused in Crime No.187 of 2023 for the offences under 3(1), 4(1), 5(1)(a) ITP Act. He further submitted that, petitioner is innocent and he is falsely implicated in this case. Petitioner is in judicial custody from 21.07.2023. Thus, he prays for grant of bail.

3.In response, the learned Additional Public Prosecutor submitted that, 1<sup>st</sup> petitioner/A1 is the owner of the lodge Viz., AKN Lodge. Petitioner is having a similar previous case in Crime No.148 of 2023 pending against him. Therefore, he prays for dismissal of this bail petition.

4.Considered the rival submissions and perused the records.

5.This is a second bail petition. Earlier bail petition in Crl.O.P.No.18473 of 2023 was dismissed on 16.08.2023, for the reason that petitioner has one similar previous case pending against him.



CrI.OP.No.20646 of 2023

WEB COPY

6.Considering the duration of custody of petitioner and that substantial part of investigation might have been completed by this time, this Court is inclined to grant bail to the petitioner with conditions.

7.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 **learned Judicial Magistrate – I, Vellore**, 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 respondent Police daily morning at 10.00.a.m., evening at 5.00 p.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.



WEB COPY



CrI.OP.No.20646 of 2023

[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.

**11.09.2023**

ep



WEB COPY



CrI.OP.No.20646 of 2023

To

- 1.The Judicial Magistrate – I,  
Vellore.
- 2.The Inspector of Police,  
Ariyur Police Station, Vellore District.
- 3.Central Prison  
Vellore.
- 4.The Public Prosecutor,  
High Court of Madras



WEB COPY



Crl.OP.No.20646 of 2023

**G.CHANDRASEKHARAN. J.**

ep

**Crl.OP.No.20646 of 2023**



WEB COPY



CrI.OP.No.20646 of 2023

**11.09.2023**