



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2023

CORAM:

THE HON'BLE **Dr. JUSTICE G.JAYACHANDRAN**

Crl.O.P.No.21709 of 2023

Mayakannan

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Thiruchengode Rural Police Station,
Namakkal District.
Crime No.116 of 2023.

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Cr.No.116 of 2023 on the file of the respondent.

For Petitioner : Mr.C.Deepakkumar
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER

The petitioner/accused, who was arrested on 19.05.2023 for the offences punishable under Sections 447, 294(b), 326 & 506 (2) of IPC, seeking bail before this Court.



2. According to the First Information Report, the petitioner was arrested on 19.05.2023 and the earlier bail petition was dismissed by this Court on 24.08.2023.

3. The learned Government Advocate (Crl.Side) appearing for the State submitted that investigation is completed but final report not yet filed.

4. In light of the fact that final report not yet filed and the petitioner is in judicial custody for more than 90 days, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Thiruchengode;**

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) **the petitioner is directed to report before the Investigating Officer daily at 10.30 a.m. until further orders;**

(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 Judicial 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.

20.09.2023

rkp

To

- 1.The Judicial Magistrate, Thiruchengode.
- 2.The Inspector of Police,
Thiruchengode Rural Police Station,
Namakkal District.
- 3.The Superintendent of Prison,
Central Prison, Salem.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY

Dr.G.JAYACHANDRAN,



rkp

Crl.O.P.No.21709 of 2023

20.09.2023