



CrI.OP.No.21818 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2023

CORAM

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

CrI.OP.No.21818 of 2023

Sudhagar

..Petitioner

Vs.

The State Rep. By
The Inspector of Police,
Burgur Police Station,
Krishnagiri District
Crime No.389 of 2012

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending trial in C.C.No.239 of
2016 pending trial on the file of the learned Judicial Magistrate No.I,
Krishnagiri.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.03.2023 for the offences punishable under Sections 380, 414, 457 of IPC pending in C.C.No.239 of 2016 on the file of the learned Judicial Magistrate, Krishnagiri in connection with Crime No.389 of 2012, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an accused in C.C.No.239 of 2016. Non Bailable Warrant was issued against him on 13.12.2022 and thereafter, he was produced on PT warrant on 31.03.2023. Before that, petitioner was very regular in attending the court hearing. He further submitted that, petitioner would be very regular hereafter in attending the future hearings. Thus, he seeks bail to the petitioner.

3. In response, the learned Additional Public Prosecutor opposes the petition on the ground that, due to the absence of the petitioner, there is a delay in disposing the case.



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4. Considering the circumstances under which the Non-Bailable Warrant was issued against the petitioner on 13.12.2022 and subsequently he was produced before the Court on PT Warrant on 31.03.2023 and also having regard to the submission of the learned counsel for the petitioner that the petitioner would regularly appear before the Court hereafter, 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 **learned Judicial Magistrate No.I, Krishnagiri** 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 Judicial Magistrate No.I, Krishnagiri** daily at **10.00.a.m., on all working days till the completion of trial.**



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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.

22.09.2022

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To



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1. Judicial Magistrate No.I, Krishnagiri.

2. The Inspector of Police,
Burgur Police Station,
Krishnagiri District

3. Central Prison,
Chittor District

4. The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.



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