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CrI.OP.No.21927 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2023

CORAM

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

CrI.OP.No.21927 of 2023

Javith Basha

...Petitioner/A5

Vs.

State rep. by
Inspector of Police,
Central Police Station,
Tirupur - 641 604.
(Crime No.468 of 2023)
...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.468 of 2023,
pending investigation on the file of the respondent police.

For Petitioner : Mr.C.Rajaguru

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.08.2023 for the offence punishable under Sections 147, 148, 323, 506(ii) and 307 IPC in Crime No.468 of 2023 on the file of the respondent police, seeks bail.

2. It is stated that A1 and A2 had been detained under Act 14 of 1982. So far as the present petitioner / A5 is concerned, the overt act is that he had assaulted the injured with Aruval. But however, it is stated that the injured had been discharged from hospital on 05.09.2023. It is also brought to the notice of this Court that A3 had been granted bail by the Principal Sessions Court at Tiruppur in CrI.M.P.No.2163 of 2023 on 29.09.2023.

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



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4. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 Principal Session Judge, Tiruppur, 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 at 10.30.a.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.

[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



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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.

05.10.2023

Smv

To

1.The Principal Session Judge, Tiruppur.

2.District Jail,
Tiruppur.

3.The Public Prosecutor,
High Court of Madras



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C.V.KARTHIKEYAN. J.

Smv

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