



Crl.O.P.No.21929 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2023

CORAM

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

Crl.O.P.No.21929 of 2023

N.Suthakar

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.
Crime No.376 of 2016.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to release the petitioner on bail in Crime No.376 of 2016 on the file of the respondent police.

For Petitioner : Mr.D.Jagadeesan

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.05.2023 for the offences punishable under Sections 394, 397 of IPC pending in P.R.C.No.09 of 2018 on the file of the Judicial Magistrate Court, Uthangarai Krishnagiri District in connection with Crime No.376 of 2016 seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an accused in P.R.C.No.09 of 2018. Because of petitioner's absconding, Non-Bailable Warrant was issued on 24.05.2023 and the same was executed on 24.05.2023, through PT warrant. Petitioner is in judicial custody on 24.05.2023. He further submitted that, petitioner would be very regular hereafter and thus, he seeks bail to the petitioner.

3. In response, the learned Additional Public Prosecutor submitted that, due to the absence of petitioner, there is no progress in the trial.



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4. Considering the circumstances, in which the Non-Bailable Warrant was issued against the petitioner and subsequently remanded to Judicial Custody on 24.05.2023 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, Uthangarai, Krishnagiri District** 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, Uthangarai, Krishnagiri District, on all working day until further orders and on



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all hearing dates without fail;

[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.

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To

- 1.The Judicial Magistrate, Uthangiri, Krishnagiri District
- 2.The Central Prison,
Chittoor Jail, Andhra Pradesh.
- 3.The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.
- 4.The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.



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