



WEB COPY



Crl.O.P.No. 24669 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2023

CORAM

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

Crl.O.P.No.24669 of 2023

Kathir @ Kathiravan

... Petitioner

Vs.

The State rep. by:-
The Inspector of Police,
Villupuram Town Police Station,
Viluppuram District.
(Crime No.467 of 2019)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner / Accused on bail pending trial in
S.C.No.155 of 2023 on the file of the Judicial Magistrate No.I, Villupuram.

For Petitioner : Mr.D.Ashokkumar

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

ORDER

The petitioner seeks bail in S.C.No.155 of 2023 on the file of the II
Additional Sessions Court, Villupuram, in which, the charges have been
framed under Sections 294(b), 341, 506(ii) and 307 of IPC.



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2.Non Bailable Warrant has been issued against the petitioner on 31.12.2020 and the petitioner had been secured on 30.03.2023.

3.It is stated by the respondent Police that there are 10 previous cases against the petitioner herein.

4.The earlier application for bail had been dismissed by an order dated 20.09.2023. One change in circumstances is that P.W.1 had been examined on 05.10.2023 and the deposition copy had also been produced before this Court.

5.Taking into consideration that there is progress in the trial and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Judicial Magistrate No.I, Villupuram 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.



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[b] the petitioner shall report before the respondent Police daily at 10.30 a.m., until completion of the trial;

[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.

30.10.2023

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To

1. The Judicial Magistrate No.I, Villupuram.
2. The Inspector of Police,
Villupuram Town Police Station,
Viluppuram District.



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3. The District Jail, Villupuram.

4. The Public Prosecutor,
High Court of Madras.

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