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Crl.O.P.No. 25059 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

CORAM

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

Crl.O.P.No.25059 of 2023

Chinnamal

... Petitioner

Vs.

The State rep. by:-
The Inspector of Police,
Konganapuram Police Station,
Salem District.

(Crime No.257 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioner / Accused on bail in Crime No.257 of 2023

pending on the file of the respondent Police.

For Petitioner : Mr.T.Muruganantham

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

ORDER

The petitioner seeks bail in Crime No.257 of 2023 registered for the offences under Section 307 of IPC with respect to an incident which happened on 04.09.2023



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2.The case of the prosecution is that the defacto complainant had stated that there was a property dispute and consequent to which, an unknown person has covered the face of the injured and caused injuries by using knife.

3.The investigation however revealed further fact.

4.In view of that fact which has to be presented by the prosecution during the course of trial, since the injured has been discharged from the hospital, 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 District Munsif cum Judicial Magistrate, Sangagiri, 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, everyday at 10.30 a.m., for a period of



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three weeks and thereafter, as and when required for interrogation;

[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.

01.11.2023

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To

1. The District Munsif cum Judicial Magistrate, Sangagiri.

2. The Inspector of Police,
Konganapuram Police Station,
Salem District.

3. The Central Prison for Women, Salem.

4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN, J.

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