



CrI.O.P.No.25845 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2023

CORAM

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

CrI.O.P.No.25845 of 2023

Isai @ Ilayaraja

... Petitioner/Accused-3

Vs.

State by
The Inspector of Police,
Valathy Police Station,
Villupuram.

(Crime No.78 of 2011)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in S.C.No.41 of 2015
on the file of the Sub-Court, Gingee, with terms and conditions.

For Petitioner : Mr.T.Elumalai

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



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CrI.O.P.No.25845 of 2023

ORDER

The petitioner is the 3rd accused in S.C.No.41 of 2015, now pending before the Sub-court, Gingee, for the charges framed under Sections 4(1)(aaa) of TNP Act r/w Sections 328 & 307 of IPC. The petitioner had been remanded to judicial custody on 13.09.2023.

2.It is stated that A1 had died and the present petitioner is A3. A2 and A4 are appearing before the Court. As against the petitioner a Non-bailable warrant had been issued on 11.02.2023 and he was secured on 13.09.2023.

3.It is also stated the previous bail application of the petitioner had been dismissed on 18.10.2023 since, A4 was also absconding. Now, he has been secured and NBW had also been recalled. That is a change in circumstance and the matter is posted for examination of L.W.1 to L.W.3.

4.Taking into consideration all these factors, I am inclined to grant bail to the petitioner subject to the following 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



Crl.O.P.No.25845 of 2023

Thousand only) with two sureties, each for a like sum to the satisfaction of the Sub-Court, Gingee, 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 trial Court everyday at 10.30 a.m., till completion of 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.

10.11.2023

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Crl.O.P.No.25845 of 2023

C.V.KARTHIKEYAN. J.

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To

1. The Sub-court, Gingee.
2. The Sub-jail, Villupuram.
3. The Inspector of Police,
Valathy Police Station,
Villupuram District.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.25845 of 2023

10.11.2023