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Crl.O.P.No. 24884 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM

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

Crl.O.P.No.24884 of 2023

Manickaraj

... Petitioner

Vs.

The Inspector of Police,
Madukkarai Police Station,
Coimbatore.

Crime No.175 of 2018

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner / Accused on bail in Crime No.175 of 2018
pending on the file of the respondent Police.

For Petitioner : Mr.D.Prabu

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

ORDER

The petitioner seeks bail in Crime No.175 of 2018 registered by
the respondent Police for the offences under Sections 457 and 380 of IPC
with respect to an incident that taken place on 25.05.2018.

2.The petitioner had been earlier granted bail, but on 31.05.2022



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since he was not present, Non Bailable Warrant was issued and the petitioner was secured only on 18.07.2023.

3.It is stated that the matter is now pending before the District Munsif cum Judicial Magistrate, Madukkarai, Coimbatore District.

4.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 District Munsif cum Judicial Magistrate, Madukkarai 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, till completion of the trial and there cannot be any relaxation in that particular period;

[c] the petitioner shall not abscond either during investigation or trial.



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[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 District Munsif cum Judicial Magistrate, Madukkarai
2. The Inspector of Police,
Madukkarai Police Station,
Coimbatore.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN, J.

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