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Crl.O.P.No.25288 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2023

CORAM

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

Crl.O.P.No.25288 of 2023

Shajahan @ Katharbasha

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
Palladam Police Station,
Tiruppur District.

(Crime No.721 of 2022)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.721 of
2022 on the file of the respondent police.

For Petitioner : Mr.A.Saranraj

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



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ORDER

The petitioner is A1 in C.C.No.23 of 2023, pending before the Judicial Magistrate, Palladam. The charge, which had been framed is under Section 392 of IPC, and the matter was listed on 04.11.2023 for further examination of further witnesses.

2. It is stated that a Non-bailable warrant had been issued against the petitioner herein on 24.06.2023 and he had been secured under Prisoner in Transit warrant on 27.06.2023.

3. Taking into consideration the fact that trial is in progress, I am inclined to grant bail to the petitioner subject to the following conditions:

4. 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 Judicial Magistrate, Palladam, 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 Judicial Magistrate,



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Palladam, everyday at 10.30 a.m., until further orders.

[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.

06.11.2023

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To

1. The Judicial Magistrate, Palladam.
- 2.The Central Prison, Coimbatore.
- 3.The Inspector of Police,
Palladam Police Station,
Tiruppur District.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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