



Crl.O.P.No.25778 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2023

CORAM

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

Crl.O.P.No.25778 of 2023

Arun @ Arunkumar

...Petitioner

Vs.

State represented by the
The Inspector of Police,
Vellakoil Police Station,
Tiruppur District.
(Crime No.260 of 2023)
...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No. 260 of 2023 on the file of respondent police on such terms and conditions.

For Petitioner : Mr.V.Anicet Aroquiaradj

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

ORDER

The petitioner seeks bail in Crime No.260 of 2023, registered by the respondent police for the offences punishable under Sections 302 and



324 of IPC. He had been remanded to judicial custody on 28.07.2023.

2. The earlier application for bail had been dismissed by this Court by an order dated 10.11.2023.

3. The one change in circumstances from that particular date is that the investigation has now been completed and charge sheet has also been filed before the Jurisdictional Magistrate Court and taken cognizance as P.R.C.No.31 of 2023. However, A3 is still absconding.

4. But taking into account the other fact is that A2 had been granted bail, 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 his executing 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, Kangeyam, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the Judicial Magistrate, Kangeyam, everyday, till the matter is committed to the Court of Sessions and again appear everyday before the Sessions Court, till framing of



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charges and thereafter, as directed by the Sessions Court;

[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.

17.11.2023

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To

1. The Judicial Magistrate, Kangeyam.
2. The Sub Jail, Tiruppur.
3. The Inspector of Police,
Vellakoil Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court of Madras.



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