



Crl.O.P.No.26255 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023

CORAM

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

Crl.O.P.No.26255 of 2023

Gowthaman S/o. Narayanan

... Petitioner/ Accused

Vs.

The State rep by
The Inspector of Police,
Kottakuppam Police Station,
Villupuram District.

(Crime No.306 of 2019)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail in Crime No.306 of 2019
pending investigation on the file of the respondent police.

For Petitioner : Mr.A.N.Rajan

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



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ORDER

The petitioner is A2 in S.C.No.9 of 2023. Originally, Crime No.306 of 2019 had been registered by the respondent police for the offences punishable under Sections 120(B), 147, 148, 294(b), 302, 307, 323, 324, 341, 506(ii), 109 & 149 of IPC. The petitioner had been remanded to custody on 03.10.2022.

2.Among the accused, A6 was one Kathir, had absconded judicial process. Therefore, the Sessions Case was splitted as against A6. He had been subsequently taken into custody.

3.So far as this petitioner is concerned, trial is on going in S.C.No.9 of 2023 and there are witnesses, who had been examined and cross-examined and also by some of the accused cross-examination had been deferred.

4.It is stated that there are two cases against the petitioner herein under Sections 302 and 307 of IPC but however, to afford appropriate



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opportunity to the petitioner to defend the case, 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 Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.2, Vannoor, 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 I Additional Sessions Court, Tindivanam, everyday at 10.30 a.m., till completion of trial, apart from Court hearing dates.

[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.



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[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 Judicial Magistrate No.2, Vannoor.
- 2.The Central Prison, Cuddalore.
- 3.The Inspector of Police,
Kottakuppam Police Station,
Villupuram District.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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