



CrI.O.P.No.26018 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2023

CORAM

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

CrI.O.P.No.26018 of 2023

Ilakiyaraj,
S/o.Govindaraj

...Petitioner/Accused-1

Vs.

State Rep. by
Inspector of Police,
Pagasalai Police Station,
Mayiladuthurai District.

(Crime No.105 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail, pending investigation of the case in the Crime No.105 of 2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.M.Vijaya Ragavan

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



CrI.O.P.No.26018 of 2023

WEB COPY

ORDER

The petitioner/A1 seeks bail in Crime No.105 of 2023, registered by the respondent police for the offences punishable under Sections 294(b), 324, 353, 386, 506(ii) of IPC and r/w. 3(1) of TNPPDL Act. The petitioner had been remanded to judicial custody on 24.10.2023.

2.It is stated that the petitioner and the other accused had gone over to the TASMACH shop and demanded liquor and since there was a refusal they entered into quarrel and caused injuries to the shop assistant. They also taken away some cash.

3.Taking into consideration all other factors though there are 24 previous cases against the petitioner but appears recurring aspect and denial of bail is not reform in any manner, 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 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 No.II, Mayiladuthurai and on further conditions that :-



CrI.O.P.No.26018 of 2023

WEB COPY

[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 respondent police everyday morning at 10.30 a.m., and evening at 5.30 p.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.

23.11.2023

ata/rjr



WEB COPY



Crl.O.P.No.26018 of 2023

C.V.KARTHIKEYAN. J.

rjr

To

1.The Judicial Magistrate No.II, Mayiladuthurai.

2.Sub Jail, Mayiladuthurai.

3.Inspector of Police,
Pagasalai Police Station,
Mayiladuthurai District.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.26018 of 2023

23.11.2023