



Crl.O.P.No.27505 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

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

Crl.O.P.No.27505 of 2023

Steel @ Ayyan @ Ayyanar

...Petitioner/Accused-3

Vs.

State represented by
The Inspector of Police,
Attayampatti Police Station,
Salem District.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in S.C.No.244 of 2017 on the file of the II Additional District Judge, Salem, on such terms and conditions.

For Petitioner : Mr.Balaji Thirumoorthy

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



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ORDER

The petitioner is A3 in S.C.No.244 of 2017, now pending before the II Additional District Judge, Salem, seeks bail. Originally, Crime No.137 of 2014 had been registered under Sections 395, 397, 302 of IPC.

2.The petitioner had been granted bail but however, had absconded from judicial process. A Non-bailable Warrant had been issued on 05.12.2022 and the petitioner had been remanded to custody on 19.06.2023.

3.It is stated by the learned Government Advocate (Crl. Side) for the respondent that there are totally seven accused and all the accused have appeared before the Court and the matter is now posted for framing of charges.

4.Even though the petitioner had absconded for about six months, taking into consideration the fact that liberty must be granted for him to participate effectively during the trial process, I am inclined to grant bail



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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 fresh sureties, each for a like sum to the satisfaction of the II Additional District Judge, Salem, 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 appear before the II Additional District Judge, Salem, everyday at 10.30 a.m., till completion of trial, apart from the 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.

[e] On breach of any of the aforesaid conditions, the learned



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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 II Additional District Judge, Salem.
2. The Central Prison, Salem.
3. The Inspector of Police,
Attayampatti Police Station,
Salem District.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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