



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM

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

Crl.O.P.No.26729 of 2023

Vijayakumar

... Petitioner/A2

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
AWPS – Moolanur Police Station,
Tiruppur District.
(Crime No.303 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in S.C.No.65 of 2023 on the file
of the Sessions Judge, Magalir Neethimandram (FTMC) Tiruppur.

For Petitioner : Mr.M.Suresh

For Respondent : Mr.R.Kishore Kumar,
Govt. Advocate (Criminal Side)



WEB COPY

ORDER

The petitioner / A2 seeks bail in S.C.No.65 of 2023 which is now pending before the Mahaleer Neethimandram, Tiruppur. Originally, Crime No.303 of 2022 had been registered under Sections 394, 451, 397 of IPC.

2.After final report had been filed, the matter had been taken to the file of the Mahaleer Neethimandram, Tiruppur as S.C.No.65 of 2023. The petitioner did not appear before the Court on 25.05.2023, necessitating NBW to be issued. The petitioner was secured on 18.08.2023. It is stated that A1 had also jumped bail and had also been subsequently secured, but bail had been granted by the Additional Mahila Court, Tirupur.

3.Taking all these factors into consideration, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on executing a separate 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 learned Sessions Judge, Mahaleer Neethimandram (FTMC) Tiruppur 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 trial Court on every Monday at 10.30 a.m., quite apart from Court hearing dates, till completion of trial.

[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.

24.11.2023

smv

C.V.KARTHIKEYAN, J.



smv

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To

- 1.The Mahaleer Neethimandram (FTMC) Tiruppur
- 2.The Inspector of Police,
AWPS – Moolanur Police Station,
Tiruppur District.
3. The Sub Jail, Udumalaipet
4. The Public Prosecutor,
High Court of Madras.

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