



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM

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

CrI.O.P.No.26619 of 2023

Karthik. C

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. by the Sub-Inspector of Police,
Gobinathampatti Police Station,
Dharmapuri,
Tamil Nadu.
(Crime No.203 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C., prayed to enlarge the petitioner on bail in Crime No.203 of 2023 on the file of the respondent police.

For Petitioner : Mr.N.Thamizhanban

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.10.2023 for the offences punishable under Sections 447, 323, 294(b), 376 of Indian Penal Code, 1860 in Crime No.203 of 2023 on the file of the respondent police, seeks bail

2.The defacto complainant is the neighbour of the petitioner. There is also a dispute between the petitioner and the defacto complainant relating to land. The petitioner is aged about 26 years and the defacto complainant is aged about 75 years. The accident register of the defacto complainant had been perused.

3.Taking all these factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following:

4. 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 Judicial Magistrate Court, Pappireddipatty 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 respondent police at 10.30 a.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.

24.11.2023

smv



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C.V.KARTHIKEYAN, J.

smv

To

1.The Judicial Magistrate Court, Pappireddipatty.

2.The Sub-Inspector of Police,
Gobinathampatti Police Station,
Dharmapuri,
Tamil Nadu.

3. The Central Prison, Dharmapuri

4. The Public Prosecutor,
High Court of Madras.

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