



Crl.O.P.No.27022 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM

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

Crl.O.P.No.27022 of 2023

B.Stephen Joseph Kennady

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.

(Crime No.249 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.249 of
2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.M.Arun

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



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ORDER

The petitioner seeks bail in Crime No.249 of 2023, registered by the respondent police for the offences punishable under Sections 419 & 420 of IPC. The petitioner had been remanded to custody on 26.10.2023.

2.The defacto complainant had been convicted for the offence under Section 307 of IPC. Thereafter, he had filed Crl.A.No.91 of 2019 wherein again his conviction was confirmed.

3.It is stated on the issue of suspension of sentence that the petitioner had taken money to procure order.

4.Taking into consideration the period of incarceration and also the fact that investigation had been completed, 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, Dharapuram, Tiruppur District, and on further conditions that: -



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[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 respondent police everyday 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.

08.12.2023

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate, Dharapuram, Tiruppur District.
2. The Sub-jail, Dharapuram, Tiruppur District.
3. The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court of Madras.

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