



WEB COPY



CrI.OP.No.27404 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2023

CORAM

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

CrI.OP.No.27404 of 2023

1.Pradhap Noniya
2.Pikki Kumar Noniya

...Petitioners

Vs.

State represented by,
The Inspector of Police,
B-4, Ukkadam Police Station,
Coimbatore.
Crime No.138 of 2023

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in FIR in Crime No.138 of 2023
on the file of the respondent police.

For Petitioners : Mr.M.Hussaini Basha

For Respondent : Mr.R.Vinothraja
Government Advocate (Criminal side)



CrI.OP.No.27404 of 2023

will be a blood surety namely either the mother or father or brother or wife of the petitioners.

5. Taking into consideration the period of incarceration and the fact that the mobile phone had been recovered, I am inclined to grant bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties (**one surety must be either the mother or father or brother or wife of the petitioners and the other surety must be a local surety which should be tested by the learned Magistrate**), each for a like sum to the satisfaction of the **learned II Metropolitan Magistrate Court, Egmore, Chennai** 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.



CrI.OP.No.27404 of 2023

[b] the petitioners shall report before the respondent police everyday at 10.00 a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

05.12.2023

gd



CrI.OP.No.27404 of 2023

To

1. The II Metropolitan Magistrate Court, Egmore, Chennai.
2. The Inspector of Police,
B-4, Ukkadam Police Station,
Coimbatore.
3. Central Prison, Coimbatore.
4. The Public Prosecutor,
Madras High Court.

C.V.KARTHIKEYAN, J.



WEB COPY



Crl.OP.No.27404 of 2023

gd

Crl.OP.No.27404 of 2023

05.12.2023