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Crl.O.P.No.27850 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2023

CORAM

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

Crl.O.P.No.27850 of 2023

Thanga Kailasam @ Kailasam

... Petitioner/Accused-2

Vs.

The State represented by
The Inspector of Police,
Namakkal Police Station,
Namakkal.

(Crime No.580 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.580 of 2023 on the file of
the respondent.

For Petitioner : Mr.S.Sankar

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



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ORDER

The petitioner seeks bail in Crime No.580 of 2023, registered by the respondent police for the offences punishable under Sections 436 @ 120B, 436 of IPC. The petitioner was remanded to custody on 27.10.2023.

2.It is the case of the prosecution that the petitioner and the other accused had pelted a bottle containing petrol on the house of the defacto complainant and there were no injuries caused.

3.It is also stated that A1 had been granted bail by the Principal Sessions Court, Namakkal.

4.Taking into consideration all these factors, I am inclined to grant bail to the petitioner subject to the following conditions:

5.Taking into consideration the period of incarceration and all other factors, I am inclined to grant bail to the petitioner subject to the following conditions:

6.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 No.I, Namakkal, 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.

18.12.2023

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C.V.KARTHIKEYAN, J.

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To

1.The Judicial Magistrate No.I, Namakkal.

2.The Inspector of Police,
Namakkal Police Station,
Namakkal.

3.The Sub-jail, Namakkal.

4. The Public Prosecutor,
High Court of Madras.

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