



CrI.O.P.No.28474 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2023

CORAM

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

CrI.O.P.No.28474 of 2023

Ramesh S/o. Thangam

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Oomangalam Police Station,
Cuddalore District.

(Crime No.250 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.250 of
2023 on the file of the respondent police, on such terms and conditions.

For Petitioner : Mr.P.Muthamizhselvakumar

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



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ORDER

The petitioner seeks bail in Crime No.250 of 2023, registered by the respondent police for the offences punishable under Sections 279, 337 & 308 of IPC. The petitioner had been remanded to custody on 21.10.2023.

2.The learned counsel for the petitioner stated that in the middle of the night, the petitioner, who was driving a Tipper lorry, lost control and unfortunately for him dashed against the Highway Patrol vehicle coming from opposite direction.

3.It is stated that alcoholic test had been taken on the petitioner. The petitioner also sustained injuries on the head, shoulder and the vehicle was completely damaged and one Policeman had suffered injuries and was admitted to the hospital on 21.10.2023 and had been discharged from hospital on 13.11.2023.

4.The earlier application seeking bail in Crl.O.P.No.26617 of 2023



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was dismissed on 24.11.2023.

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5.The change in circumstance is that there is progress in investigation and even on 24.11.2023, it had been stated that if there is progress, a fresh application can be filed.

6.In view of all these factors, I am inclined to grant bail to the petitioner subject to the following conditions:

7.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 District Munsif cum Judicial Magistrate Court, Neyveli, 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 report before the respondent police everyday at 10.30 a.m., until further orders.



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[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.

20.12.2023

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To

1. The District Munsif cum Judicial Magistrate, Neyveli.
2. The Central Prison, Cuddalore.
3. The Inspector of Police,
Oomangalam Police Station,
Cuddalore District.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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