



WEB COPY



Crl.O.P.No. 29020 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2023

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.29020 of 2023

Dharmalingam @ Dharman

... Petitioner

Vs.

The State rep by
The Inspector of Police,
Mahendramangalam Police Station,
Dharmapuri.

Crime No.158 of 2023

... Respondent

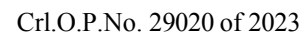
PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner / Accused on bail in Crime No.158 of 2023
pending on the file of the respondent police.

For Petitioner : Mr.M.R.Elavarasan

For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor.

ORDER

The petitioner who was arrested and remanded to judicial custody
on 20.11.2023, seeks bail in Crime No.158 of 2023, which was registered by



4. The learned Additional Public Prosecutor for the respondent submitted that the investigation has been completed and DRO enquiry has also been completed and awaiting for the report. She further submits that the petitioner has no previous case. However, she opposed for granting of bail to the petitioner.



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5. Heard both side and perused the materials available on record.

6. Considering the rival submissions made on either side and taking into consideration the period of incarceration undergone by the petitioner and also considering that the investigation has been completed, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] 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 learned Judicial Magistrate, Palacode and on further conditions that:

[b] the petitioner shall report before the respondent police, daily at 10.00 A.M. untill further orders.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

28.12.2023

vkx/apd

To

1. The Judicial Magistrate, Palacode.
2. The Inspector of Police,
Mahendramangalam Police Station,
Dharmapuri.
3. The Sub Jail, Dharmapuri.
4. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

vkx/apd

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