



CrI.O.P.No.1020 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

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

CrI.O.P.No.1020 of 2024

Tharun @ Infantraj S/o. Ravi

...Petitioner/Accused-1

Vs.

State represented by
The Inspector of Police,
Ramanthapuram Police Station,
Coimbatore.

(Crime No.168 of 2019)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in S.C.No.16 of 2020 on the file of the I Additional District and Sessions Judge, Coimbatore, on such terms and conditions.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mr.L.Baskaran
Government Advocate (CrI. Side)



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ORDER

The petitioner/A1 in S.C.No.16 of 2020, now pending before the I Additional District and Sessions Court, Coimbatore, seeks bail. Originally, Crime No.168 of 2019 had been registered by the respondent for the offence under Section 302 of IPC.

2. There is yet another accused. A Non-bailable warrant had been issued against the petitioner on 16.08.2022 and it had been executed on 13.03.2023. This was the second time Non-bailable warrant had been issued but however, taking into consideration the period of incarceration and the fact that the matter is listed for examination of witnesses and to give an opportunity to the petitioner to defend his case, I am inclined to grant bail to the petitioner subject to the following conditions:

3. 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 fresh sureties (one surety must be a blood relative of the petitioner), each for a like sum to the satisfaction of the Judicial Magistrate VI, Coimbatore, 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 appear before the I Additional District & Sessions Judge, Coimbatore, on every Monday at 10.30 a.m., till completion of trial, apart from the Court hearing dates.

[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.

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate VI, Coimbatore.
2. The Central Prison, Coimbatore.
3. The Inspector of Police,
Ramanthapuram Police Station,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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