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CrI.O.P.No.1255 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2024

CORAM

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

CrI.O.P.No.1255 of 2024

S.Govindraj

...Petitioner/Accused-3

Vs.

State represented by
The Inspector of Police,
Dusi Police Station,
Thiruvannamalai District.
(Crime No.24 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.24 of 2023 on the file of the respondent on such terms and conditions.

For Petitioner : Mr.Deepanuday

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

ORDER

The petitioner/A3 in Crime No.24 of 2023, registered by the respondent for the offences under Sections 304(II) and 201 of IPC, seeks bail. The petitioner had been remanded to judicial custody on



CrI.O.P.No.1255 of 2024

21.12.2023.

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2.It is stated that the deceased was a driver of the lorry owned by the petitioner herein and the lorry was used in a quarry owned by A1 and A2. While driving the lorry, the deceased suffered accident and he died. A4 impersonated as the lorry driver.

3.It is stated that the FIR has been registered not only for the offence under Section 304(II) IPC but subsequently an attempt has been made to screen the offence and therefore, offence under Section 201 of IPC also attracted. It is also stated that A1 and A2 had been granted bail by the Principal Sessions Judge, Thiruvannamalai.

4.Taking all the factors into consideration and the fact that investigation has been practically completed, I am inclined to grant bail to the petitioner subject to the following conditions:

5.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, Cheiyyar, and on further conditions that: -



CrI.O.P.No.1255 of 2024

WEB COPY

[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.

30.01.2023

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Crl.O.P.No.1255 of 2024

C.V.KARTHIKEYAN. J.

ata

To

1. The Judicial Magistrate, Cheyyar.
2. The Superintendent, Central Prison, Vellore.
3. The Inspector of Police,
Dusi Police Station,
Thiruvannamalai District.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.1255 of 2024

30.01.2024