



Crl.O.P.No.1453 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2024

CORAM

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

Crl.O.P.No.1453 of 2024

Sathish

...Petitioner

Vs.

The State rep. by
The Inspector of Police,
Kondalampatty Police Station,
Salem District
(Crime No.516 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in S.C.No.346 of 2023 on the file of the II Additional Assistant Sessions Judge, Salem on such terms and conditions.

For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

The petitioner in S.C.No.346 of 2023 on the file of the II Additional Assistant Sessions Judge, Salem, seeks bail. Originally, Crime



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No.516 of 2023 had been registered by the respondent police for the offences punishable under Sections 341,394 and 397 of IPC.

2.It is stated that a Non-bailable Warrant had been issued against the petitioner herein on 21.09.2023 and he was secured on 22.09.2023.

3.The petitioner had been granted bail with a condition to appear before the Court and sign every day for a period of 30 days, the petitioner defaulted it. Therefore, the bail granted was cancelled on 21.09.2023 and the petitioner was taken back on the very next day on 22.09.2023.

4. The learned counsel for the petitioner submitted that the petitioner had signed on all other days and all other accused had granted bail. It is stated that the matter is listed on 02.02.2024 for appearance of the accused.

5.Taking those factors into consideration which are significant change in circumstances, 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 his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two fresh sureties (Out of which one must be a blood related surety), each for a like sum to the satisfaction of the learned II Additional



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Assistant Sessions Judge, Salem, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the II Additional Assistant Sessions Judge, Salem, where S.C.No.346 of 2023 is pending, 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.

29.01.2024

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To
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1. The II Additional Assistant Sessions Judge, Salem
2. The Central Prison, Salem
3. The Inspector of Police,
Kondalampatty Police Station,
Salem District
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.
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